



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 26 2013

CERTIFIED MAIL 7012 1010 0001 8097 1181
RETURN RECEIPT REQUESTED

City of Alexander City
Attn.: Mr. Gerard Brewer
Director of Public Works and City Engineer
824 Railey Road
Alexander City, Alabama 35010

Re: Information Request--Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit Nos.: AL0048861 and AL0021156
Sugar Creek and Coley Creek Wastewater Treatment Plants

Dear Mr. Brewer:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency Region 4 hereby requests the City of Alexander City (the City) to provide the information set forth in Enclosure A regarding the Wastewater Treatment Plants noted above and their associated sanitary sewer collection systems. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Laurie Jones, Enforcement Officer
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The City's response should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

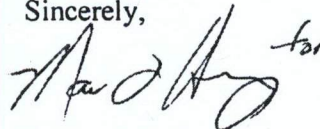
The City shall preserve, until further notice, all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place as required. No such records shall be disposed of until written authorization is received from the Chief of the Clean Water Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet*, which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the City of its obligations to the EPA or the State of Alabama, does not create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

Please feel free to contact Ms. Jones at (404) 562-9201 or by email at jones.laurie@epa.gov, if you have questions regarding this notice and information request.

Sincerely,

A handwritten signature in black ink, appearing to read "Denisse D. Diaz", with a small "for" written above the end of the signature.

Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosures

cc: Ms. Glenda Dean
Alabama Department of Environmental Management

Mr. Anthony Waldrop
Alexander City, Alabama

ENCLOSURE A
SSO PROGRAM
City of Alexander City, AL

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the City's WWTPs;
 - d. The average design flow of the City's WWTPs;
 - e. The peak design flow of the City's WWTPs;
 - f. The annual average flow of the City's WWTPs; and
 - g. The population served by the City's WWTPs and their respective SSS.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from September 2008 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.

4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Alabama.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS **(40 C.F.R. Part 2)**

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4

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61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 27 2013

CERTIFIED MAIL 7012 1010 0001 8097 1211
RETURN RECEIPT REQUESTED

City of Calhoun
Attn: Mr. Jerry Crawford
Director, Wastewater Department
700 West Line Street
Calhoun, Georgia 30701

Re: Information Request—Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit No.: GA0030333
Calhoun Wastewater Treatment Plant

Dear Mr. Crawford:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency Region 4 hereby requests the City of Calhoun (the City) to provide the information set forth in Enclosure A regarding the Wastewater Treatment Plant noted above and its associated sanitary sewer collection system. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Mr. Richard Elliott, Enforcement Officer
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The City's response should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

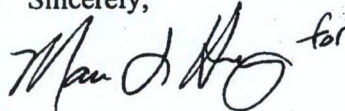
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If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet*, which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the City of its obligations to the EPA or the State of Georgia, does not create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

Please feel free to contact Mr. Elliott at (404) 562-8691 or by email at elliott.richard@epa.gov, if you have questions regarding this notice and information request.

Sincerely,

A handwritten signature in black ink, appearing to read "Denise D. Diaz", followed by the word "for" written in a cursive script.

Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosures

cc: Ms. Jane Hendricks
Georgia Environmental Protection Division

ENCLOSURE A

SSO PROGRAM City of Calhoun, GA

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
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 - g. The population served by the City's WWTP and its respective SSS.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from September 2008 to the present. For each SSO provide the following:

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If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.

4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
- a. Documenting SSOs;
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 - f. All reporting of SSOs to the permitting authority, the State of Georgia.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

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U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources, including workshops, training sessions, hotlines, websites and guides, to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

EPA's Small Business Websites

Small Business Environmental Homepage - www.smallbiz-enviroweb.org

Small Business Gateway - www.epa.gov/smallbusiness

EPA's Small Business Ombudsman - www.epa.gov/sbo or 1-800-368-5888

EPA's Compliance Assistance Homepage

[www.epa.gov/compliance/assistance/
business.html](http://www.epa.gov/compliance/assistance/business.html)

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net

EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

www.ccar-greenlink.org or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org or 1-734-995-4911

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Metal Finishing

www.nmfrc.org

Paints and Coatings

www.paintcenter.org

Printed Wiring Board Manufacturing

www.pwbrc.org

Printing

www.pneac.org

Ports

www.portcompliance.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

Hotlines, Helplines and Clearinghouses

www.epa.gov/epahome/hotline.htm

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Antimicrobial Information Hotline
info-antimicrobial@epa.gov or
1-703-308-6411

Clean Air Technology Center (CATC) Info-line

www.epa.gov/ttn/catc or 1-919-541-0800

Emergency Planning and Community Right-To-Know Act

[www.epa.gov/superfund/resources/
infocenter/epcra.htm](http://www.epa.gov/superfund/resources/infocenter/epcra.htm) or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or
734-214-4100

National Pesticide Information Center
www.npic.orst.edu/ or 1-800-858-7378

National Response Center Hotline -
to report oil and hazardous substance spills
www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC)

www.epa.gov/opptintr/ppic or
1-202-566-0799

Safe Drinking Water Hotline

[www.epa.gov/safewater/hotline/index.
html](http://www.epa.gov/safewater/hotline/index.html) or 1-800-426-4791

Stratospheric Ozone Protection Hotline
www.epa.gov/ozone or 1-800-296-1996

U. S. EPA Small Business Resources

Toxic Substances Control Act (TSCA) Hotline
tsc hotline@epa.gov or 1-202-554-1404

Wetlands Information Helpline
www.epa.gov/owow/wetlands/wetline.html or 1-800-832-7828

State and Tribal Web-Based Resources

State Resource Locators
www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)
www.smallbiz-enviroweb.org

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits. The website is a central point for sharing resources between EPA and states.

EPA's Tribal Compliance Assistance Center
www.epa.gov/tribalcompliance/index.html

The Center provides material to Tribes on environmental stewardship and regulations that might apply to tribal government operations.

EPA's Tribal Portal
www.epa.gov/tribalportal/

The Portal helps users locate tribal-related information within EPA and other federal agencies.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

EPA's Small Business Compliance Policy
www.epa.gov/compliance/incentives/smallbusiness/index.html

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy
www.epa.gov/compliance/incentives/auditing/auditpolicy.html

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247), or go to their website at www.sba.gov/ombudsman.

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's action without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against a member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Board you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in an enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under all of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4

ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 26 2013

CERTIFIED MAIL 7012 1010 0001 8097 1198
RETURN RECEIPT REQUESTED

City of Cape Coral
Attn: Mr. John Szerlag
City Manager
P.O. Box 150027
Cape Coral, Florida 33915-0027

Re: Information Request—Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit No.: FL0030007
Cape Coral Everest Parkway Wastewater Treatment Plant

Dear Mr. Szerlag:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency Region 4 hereby requests the City of Cape Coral (the City) to provide the information set forth in Enclosure A regarding the Wastewater Treatment Plant noted above and its associated sanitary sewer collection system. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Sara Schiff, Enforcement Officer
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

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"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Internet Address (URL) • <http://www.epa.gov>

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 30% Postconsumer)

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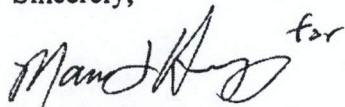
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Please feel free to contact Ms. Schiff at (404) 562-9870 or by email at schiff.sara@epa.gov, if you have questions regarding this notice and information request.

Sincerely,

A handwritten signature in black ink, appearing to read "Denise D. Diaz", with a small "for" written above it.

Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosures

cc: Ms. Jessica Kleinfelter
Florida Department of Environmental Protection

Mr. Jeff Pearson
City of Cape Coral

ENCLOSURE A
SSO PROGRAM
City of Cape Coral, FL

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
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- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.

4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Florida.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS **(40 C.F.R. Part 2)**

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

ATLANTA FEDERAL CENTER

61 FORSYTH STREET

ATLANTA, GEORGIA 30303-8960

SEP 27 2013

CERTIFIED MAIL 7012 1010 0001 8097 1228
RETURN RECEIPT REQUESTED

The Honorable Robert Smith, Sr.
Mayor, City of Columbus
P.O. Box 140
Columbus, Mississippi 39703

Re: Information Request – Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit Nos.: MS0056472
Ridgley Wastewater Treatment Plant (WWTP)

Dear Mr. Smith:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency Region 4 hereby requests the City of Columbus (the City) to provide the information set forth in Enclosure A regarding the WWTP noted above and its associated sanitary sewer collection system. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Sara Schiff, Enforcement Officer
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The City's response should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

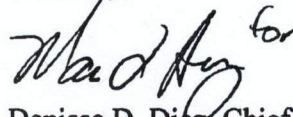
The City shall preserve, until further notice, all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place as required. No such records shall be disposed of until written authorization is received from the Chief of the Clean Water Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet*, which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the City of its obligations to the EPA or the State of Mississippi, does not create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

Please feel free to contact Ms. Schiff at (404) 562-9870 or by email at schiff.sara@epa.gov, if you have questions regarding this notice and information request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Denise D. Diaz", with a small "for" written above it.

Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosures

cc: Mr. Chris Sanders
Mississippi Department of Environmental Quality

Mr. Steve Barksdale
Columbus Light and Water

ENCLOSURE A

SSO PROGRAM City of Columbus, MS

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the City's WWTP;
 - d. The average design flow of the City's WWTP;
 - e. The peak design flow of the City's WWTP;
 - f. The annual average flow of the City's WWTP; and
 - g. The population served by the City's WWTP and its respective SSS.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from September 2008 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.

4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Mississippi.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.

U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources, including workshops, training sessions, hotlines, websites and guides, to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

EPA's Small Business Websites

Small Business Environmental Homepage - www.smallbiz-enviroweb.org

Small Business Gateway - www.epa.gov/smallbusiness

EPA's Small Business Ombudsman - www.epa.gov/sbo or 1-800-368-5888

EPA's Compliance Assistance Homepage

[www.epa.gov/compliance/assistance/
business.html](http://www.epa.gov/compliance/assistance/business.html)

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net

EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

www.ccar-greenlink.org or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org or 1-734-995-4911

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Metal Finishing

www.nmfrc.org

Paints and Coatings

www.paintcenter.org

Printed Wiring Board Manufacturing

www.pwbrc.org

Printing

www.pneac.org

Ports

www.portcompliance.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

Hotlines, Helplines and Clearinghouses

www.epa.gov/epahome/hotline.htm

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Antimicrobial Information Hotline

info-antimicrobial@epa.gov or
1-703-308-6411

Clean Air Technology Center (CATC) Info-line

www.epa.gov/ttn/catc or 1-919-541-0800

Emergency Planning and Community Right-To-Know Act

[www.epa.gov/superfund/resources/
infocenter/epcra.htm](http://www.epa.gov/superfund/resources/infocenter/epcra.htm) or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or
734-214-4100

National Pesticide Information Center

www.npic.orst.edu/ or 1-800-858-7378

National Response Center Hotline - to report oil and hazardous substance spills

www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC)

www.epa.gov/opptintr/ppic or
1-202-566-0799

Safe Drinking Water Hotline

[www.epa.gov/safewater/hotline/index.
html](http://www.epa.gov/safewater/hotline/index.html) or 1-800-426-4791

Stratospheric Ozone Protection Hotline

www.epa.gov/ozone or 1-800-296-1996

Toxic Substances Control Act (TSCA) Hotline
tsca-hotline@epa.gov or 1-202-554-1404

Wetlands Information Helpline
www.epa.gov/owow/wetlands/wetline.html or 1-800-832-7828

State and Tribal Web-Based Resources

State Resource Locators
www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)
www.smallbiz-enviroweb.org

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits. The website is a central point for sharing resources between EPA and states.

EPA's Tribal Compliance Assistance Center
www.epa.gov/tribalcompliance/index.html

The Center provides material to Tribes on environmental stewardship and regulations that might apply to tribal government operations.

EPA's Tribal Portal
www.epa.gov/tribalportal/

The Portal helps users locate tribal-related information within EPA and other federal agencies.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

EPA's Small Business Compliance Policy
www.epa.gov/compliance/incentives/smallbusiness/index.html

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy
www.epa.gov/compliance/incentives/auditing/auditpolicy.html

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247), or go to their website at www.sba.gov/ombudsman.

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's action without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against a member of the regulated community in response to comment made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Board, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement action or communications. The assistance information and comment processes do not give you any new rights or defenses in an enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 27 2013

CERTIFIED MAIL 7012 1010 0001 8097 1235
RETURN RECEIPT REQUESTED

City of Tupelo
Attn: Ms. Kim Hanna
City Clerk
P.O. Box 1485
Tupelo, Mississippi 38802-1485

Re: Information Request--Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit Nos.: MS0036111, MS0048046 and
MS0022845
Tupelo Wastewater Treatment Plant, Deer Park Estates Wastewater Treatment Plant and
Indian Hills Subdivision Wastewater Treatment Plant

Dear Ms. Hanna:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency Region 4 hereby requests the City of Tupelo (the City) to provide the information set forth in Enclosure A regarding the Wastewater Treatment Plants noted above and their associated sanitary sewer collection systems. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Mr. Dennis Sayre, Enforcement Officer
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The City's response should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Internet Address (URL) • <http://www.epa.gov>

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 30% Postconsumer)

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

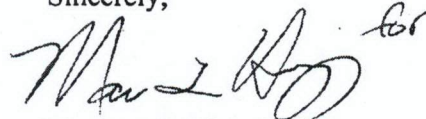
The City shall preserve, until further notice, all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place as required. No such records shall be disposed of until written authorization is received from the Chief of the Clean Water Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet*, which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the City of its obligations to the EPA or the State of Mississippi, does not create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

Please feel free to contact Mr. Sayre at (404) 562-9756 or by email at sayre.dennis@epa.gov, if you have questions regarding this notice and information request.

Sincerely,

A handwritten signature in black ink, appearing to read "Denisse D. Diaz", with a stylized flourish at the end.

Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosures

cc: Mr. Chris Sanders
Mississippi Department of Environmental Quality

Mr. Johnny Timmons
Director, Water and Light Department
City of Tupelo

ENCLOSURE A

SSO PROGRAM City of Tupelo, MS

1. Provide the following:

- a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
- b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
- c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the City's WWTPs;
- d. The average design flow of the City's WWTPs;
- e. The peak design flow of the City's WWTPs;
- f. The annual average flow of the City's WWTPs; and
- g. The population served by the City's WWTPs and their respective SSSs.

2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from September 2008 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.

4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Mississippi.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS (40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 27 2013

CERTIFIED MAIL 7012 1010 0001 8097 1259
RETURN RECEIPT REQUESTED

City of Georgetown
Attn.: Mr. Will Cook
Water Utilities Manager
P.O. Drawer 939
Georgetown, South Carolina 29442

Re: Information Request--Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit No.: SC0040029
City of Georgetown Wastewater Treatment Plant

Dear Mr. Cook:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency Region 4 hereby requests the City of Georgetown (the City) to provide the information set forth in Enclosure A regarding the Wastewater Treatment Plant noted above and its associated sanitary sewer collection system. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Mr. Richard Elliott, Enforcement Officer
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The City's response should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

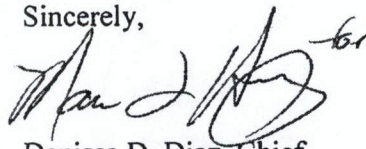
The City shall preserve, until further notice, all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place as required. No such records shall be disposed of until written authorization is received from the Chief of the Clean Water Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet*, which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the City of its obligations to the EPA or the State of South Carolina, does not create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

Please feel free to contact Mr. Elliott at (404) 562-8691 or by email at elliott.richard@epa.gov, if you have questions regarding this notice and information request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Denisse D. Diaz", with a small "61" written to the right of the signature.

Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosures

cc: Mr. Glenn Trofatter
South Carolina Department of Health and Environmental Control

ENCLOSURE A
SSO PROGRAM
City of Georgetown, SC

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the City's WWTP;
 - d. The average design flow of the City's WWTP;
 - e. The peak design flow of the City's WWTP;
 - f. The annual average flow of the City's WWTP; and
 - g. The population served by the City's WWTP and its respective SSS.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from September 2008 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.

4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of South Carolina.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 26 2013

CERTIFIED MAIL 7012 1010 0001 8097 1280
RETURN RECEIPT REQUESTED

City of Lumberton
Attn.: Mr. Robert Armstrong, Jr.
Director of Public Works
215 South Cedar Street
Lumberton, North Carolina 28358

Re: Information Request--Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit No.: NC0024571
City of Lumberton Wastewater Treatment Plant

Dear Mr. Armstrong:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency Region 4 hereby requests the City of Lumberton (the City) to provide the information set forth in Enclosure A regarding the Wastewater Treatment Plant noted above and its associated sanitary sewer collection system. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Sara Schiff, Enforcement Officer
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The City's response should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

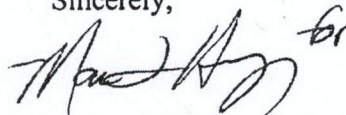
The City shall preserve, until further notice, all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place as required. No such records shall be disposed of until written authorization is received from the Chief of the Clean Water Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet*, which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the City of its obligations to the EPA or the State of North Carolina, does not create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

Please feel free to contact Ms. Schiff at (404) 562-9870 or by email at schiff.sara@epa.gov, if you have questions regarding this notice and information request.

Sincerely,

A handwritten signature in black ink, appearing to read "Denisse D. Diaz", with a stylized flourish at the end.

Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosures

cc: Mr. Jeff Poupart
North Carolina Department of Environmental and Natural Resources

ENCLOSURE A

SSO PROGRAM City of Lumberton, NC

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the City's WWTP;
 - d. The average design flow of the City's WWTP;
 - e. The peak design flow of the City's WWTP;
 - f. The annual average flow of the City's WWTP; and
 - g. The population served by the City's WWTP and its respective SSS.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from September 2008 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.

4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of North Carolina.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS (40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 27 2013

CERTIFIED MAIL 7012 1010 0001 8097 1204
RETURN RECEIPT REQUESTED

Collier County, Florida
Attn: Mr. George Yilmaz
Administrator, Public Utilities Division
3301 East Tamiami Trail
Naples, Florida 34112

Re: Information Request – Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit Nos.: FL0141399 and FL0141356
Collier County North and South Wastewater Treatment Plants (WWTP)

Dear Mr. Yilmaz:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency Region 4 hereby requests Collier County (the County) to provide the information set forth in Enclosure A regarding the WWTPs noted above and their associated sanitary sewer collection systems. The County is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Sara Schiff, Enforcement Officer
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The County's response should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible County official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

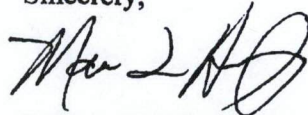
The County shall preserve, until further notice, all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place as required. No such records shall be disposed of until written authorization is received from the Chief of the Clean Water Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet*, which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the County of its obligations to the EPA or the State of Florida, does not create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

Please feel free to contact Ms. Schiff at (404) 562-9870 or by email at schiff.sara@epa.gov, if you have questions regarding this notice and information request.

Sincerely,



Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosures

cc: Ms. Jessica Kleinfelter
Florida Department of Environmental Protection

Ms. Beth Johnssen
Collier County

ENCLOSURE A

SSO PROGRAM Collier County, FL

1. Provide the following:
 - a. The size of the County's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the County's WWTPs;
 - d. The average design flow of the County's WWTPs;
 - e. The peak design flow of the County's WWTPs;
 - f. The annual average flow of the County's WWTPs; and
 - g. The population served by the County's WWTPs and their respective SSSs.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from September 2008 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the County was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the County (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the County has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.

4. Provide a copy of any additional County procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Florida.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the County's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS **(40 C.F.R. Part 2)**

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.

U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources, including workshops, training sessions, hotlines, websites and guides, to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

EPA's Small Business Websites

Small Business Environmental Homepage - www.smallbiz-enviroweb.org

Small Business Gateway - www.epa.gov/smallbusiness

EPA's Small Business Ombudsman - www.epa.gov/sbo or 1-800-368-5888

EPA's Compliance Assistance Homepage

[www.epa.gov/compliance/assistance/
business.html](http://www.epa.gov/compliance/assistance/business.html)

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers
www.assistancecenters.net

EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture
www.epa.gov/agriculture/

Automotive Recycling
www.ecarcenter.org

Automotive Service and Repair
www.ccar-greenlink.org or 1-888-GRN-LINK

Chemical Manufacturing
www.chemalliance.org

Construction
www.cicacenter.org or 1-734-995-4911

Education
www.campuserc.org

Food Processing
www.fpeac.org

Healthcare
www.hercenter.org

Local Government
www.lgean.org

Metal Finishing
www.nmfrc.org

Paints and Coatings
www.paintcenter.org

Printed Wiring Board Manufacturing
www.pwbrc.org

Printing
www.pneac.org

Ports
www.portcompliance.org

**U.S. Border Compliance and
Import/Export Issues**
www.bordercenter.org

**Hotlines, Helplines and
Clearinghouses**
www.epa.gov/epahome/hotline.htm

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Antimicrobial Information Hotline
info-antimicrobial@epa.gov or
1-703-308-6411

**Clean Air Technology Center (CATC)
Info-line**
www.epa.gov/ttn/catc or 1-919-541-0800

**Emergency Planning and Community
Right-To-Know Act**
[www.epa.gov/superfund/resources/
infocenter/epcra.htm](http://www.epa.gov/superfund/resources/infocenter/epcra.htm) or 1-800-424-9346

**EPA Imported Vehicles and Engines
Public Helpline**
www.epa.gov/otaq/imports or
734-214-4100

National Pesticide Information Center
www.npic.orst.edu/ or 1-800-858-7378

**National Response Center Hotline -
to report oil and hazardous substance spills**
www.nrc.uscg.mil or 1-800-424-8802

**Pollution Prevention Information
Clearinghouse (PPIC)**
www.epa.gov/opptintr/ppic or
1-202-566-0799

Safe Drinking Water Hotline
[www.epa.gov/safewater/hotline/index.
html](http://www.epa.gov/safewater/hotline/index.html) or 1-800-426-4791

Stratospheric Ozone Protection Hotline
www.epa.gov/ozone or 1-800-296-1996

U. S. EPA Small Business Resources

Toxic Substances Control Act (TSCA) Hotline
tsca-hotline@epa.gov or 1-202-554-1404

Wetlands Information Helpline
www.epa.gov/owow/wetlands/wetline.html or 1-800-832-7828

State and Tribal Web-Based Resources

State Resource Locators
www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)
www.smallbiz-enviroweb.org

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits. The website is a central point for sharing resources between EPA and states.

EPA's Tribal Compliance Assistance Center
www.epa.gov/tribalcompliance/index.html

The Center provides material to Tribes on environmental stewardship and regulations that might apply to tribal government operations.

EPA's Tribal Portal
www.epa.gov/tribalportal/

The Portal helps users locate tribal-related information within EPA and other federal agencies.

EPA Compliance Incentives
EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

EPA's Small Business Compliance Policy
www.epa.gov/compliance/incentives/smallbusiness/index.html

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy
www.epa.gov/compliance/incentives/auditing/auditpolicy.html

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247), or go to their website at www.sba.gov/ombudsman.

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's action without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Board, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in an enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 27 2013

CERTIFIED MAIL 7012 1010 0001 8097 1266
RETURN RECEIPT REQUESTED

Hallsdale-Powell Utility District
Attn.: Mr. Darren Cardwell
General Manager
P.O. Box 5199
Knoxville, Tennessee 37928

Re: Information Request--Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit Nos.: TN0024287 and TN0059323
Hallsdale-Powell Beaver Creek Sewage Treatment Plant and
Hallsdale-Powell Racoon Valley Sewage Treatment Plant

Dear Mr. Cardwell:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency Region 4 hereby requests the Hallsdale-Powell Utility District (the District) to provide the information set forth in Enclosure A regarding the Sewage Treatment Plants noted above and their associated sanitary sewer collection systems. The District is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Mr. Dennis Sayre, Enforcement Officer
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The District's response should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible District official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Internet Address (URL) • <http://www.epa.gov>

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Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

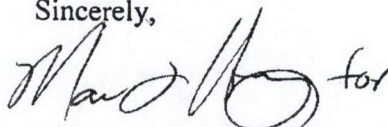
The District shall preserve, until further notice, all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place as required. No such records shall be disposed of until written authorization is received from the Chief of the Clean Water Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet*, which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the District of its obligations to the EPA or the State of Tennessee, does not create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

Please feel free to contact Mr. Sayre at (404) 562-9756 or by email at sayre.dennis@epa.gov, if you have questions regarding this notice and information request.

Sincerely,

A handwritten signature in black ink, appearing to read "Denisse D. Diaz" followed by a stylized flourish.

Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosures

cc: Ms. Jessica Murphy
Tennessee Department of Environment and Conservation

ENCLOSURE A

SSO PROGRAM

Hallsdale-Powell Utility District, TN

1. Provide the following:
 - a. The size the District's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the District's STPs;
 - d. The average design flow of the District's STPs;
 - e. The peak design flow of the District's STPs;
 - f. The annual average flow of the District's STPs; and
 - g. The population served by the District's STPs and their respective SSS.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from September 2008 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the District was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the District (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the District has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.

4. Provide a copy of any additional the District procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Tennessee.
5. Provide the name of the person (or position title) responsible for each of the activities indentified in the District's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS (40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 27 2013

CERTIFIED MAIL 7012 1010 0001 8097 1273
RETURN RECEIPT REQUESTED

Jackson Energy Authority
Attn.: Mr. Jim Ferrell
President and Chief Executive Officer
250 North Highland Avenue
Jackson, Tennessee 38301

Re: Information Request – Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit No.: TN0024813
Jackson Energy Authority Wastewater Treatment Plant

Dear Mr. Ferrell:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency Region 4 hereby requests the Jackson Energy Authority (Jackson EA) to provide the information set forth in Enclosure A regarding the Wastewater Treatment Plant noted above and its associated sanitary sewer collection system. Jackson EA is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Mr. Dennis Sayre, Enforcement Officer
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Jackson EA's response should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible District official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

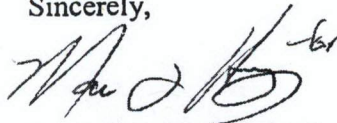
The District shall preserve, until further notice, all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place as required. No such records shall be disposed of until written authorization is received from the Chief of the Clean Water Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet*, which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve Jackson EA of its obligations to the EPA or the State of Tennessee, does not create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

Please feel free to contact Mr. Sayre at (404) 562-9756 or by email at sayre.dennis@epa.gov, if you have questions regarding this notice and information request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Denisse D. Diaz", with a stylized flourish at the end.

Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosures

cc: Ms. Jessica Murphy
Tennessee Department of Environment and Conservation

ENCLOSURE A
SSO PROGRAM
Jackson Energy Authority, TN

1. Provide the following:
 - a. The size of Jackson EA's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of Jackson EA's WWTP;
 - d. The average design flow of Jackson EA's WWTP;
 - e. The peak design flow of Jackson EA's WWTP;
 - f. The annual average flow of Jackson EA's WWTP; and
 - g. The population served by Jackson EA's WWTP and its respective SSS.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from September 2008 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when Jackson EA was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when Jackson EA (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If Jackson EA has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.

4. Provide a copy of any additional Jackson EA procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
- a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Tennessee.
5. Provide the name of the person (or position title) responsible for each of the activities identified in Jackson EA's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 27 2013

CERTIFIED MAIL 7012 1010 0001 8097 1242
RETURN RECEIPT REQUESTED

Metropolitan Sewerage District of Buncombe County
Attn.: Mr. Thomas Hartye, P.E.
General Manager
2028 Riverside Drive
Asheville, North Carolina 28804

Re: Information Request – Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit No.: NC0024911
Metropolitan Sewerage District of Buncombe County Wastewater Treatment Plant

Dear Mr. Hartye:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency, Region 4 hereby requests the Metropolitan Sewerage District of Buncombe County (the MSD) to provide the information set forth in Enclosure A regarding the Wastewater Treatment Plant noted above and its associated sanitary sewer collection system. The MSD is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Ms. Laurie Jones, Enforcement Officer
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The MSD's response should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible MSD official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

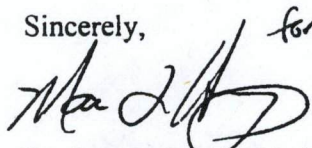
The MSD shall preserve, until further notice, all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place as required. No such records shall be disposed of until written authorization is received from the Chief of the Clean Water Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet*, which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the MSD of its obligations to the EPA or the State of North Carolina, does not create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

Please feel free to contact Ms. Jones at (404) 562-9201 or by email at jones.laurie@epa.gov, if you have questions regarding this notice and information request.

Sincerely,

A handwritten signature in black ink, appearing to read "Denisse D. Diaz", with a small "for" written above it.

Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosures

cc: Mr. Jeff Poupart
North Carolina Department of Environmental and Natural Resources

ENCLOSURE A
SSO PROGRAM
MSD of Buncombe County, NC

1. Provide the following:
 - a. The size of the MSD's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the MSD's WWTP;
 - d. The average design flow of the MSD's WWTP;
 - e. The peak design flow of the MSD's WWTP;
 - f. The annual average flow of the MSD's WWTP; and
 - g. The population served by the MSD's WWTP and its respective SSS.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from September 2008 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the MSD was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the MSD (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the MSD has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.

4. Provide a copy of any additional MSD procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
- a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of North Carolina.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the MSD's SORP and/or listed in Question 4 above.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS **(40 C.F.R. Part 2)**

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.

U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources, including workshops, training sessions, hotlines, websites and guides, to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

EPA's Small Business Websites

Small Business Environmental Homepage - www.smallbiz-enviroweb.org

Small Business Gateway - www.epa.gov/smallbusiness

EPA's Small Business Ombudsman - www.epa.gov/sbo or 1-800-368-5888

EPA's Compliance Assistance Homepage

[www.epa.gov/compliance/assistance/
business.html](http://www.epa.gov/compliance/assistance/business.html)

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net

EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

www.ocar-greenlink.org or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org or 1-734-995-4911

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Metal Finishing

www.nmfrf.org

Paints and Coatings

www.paintcenter.org

Printed Wiring Board Manufacturing

www.pwbrc.org

Printing

www.pneac.org

Ports

www.portcompliance.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

Hotlines, Helplines and Clearinghouses

www.epa.gov/epahome/hotline.htm

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Antimicrobial Information Hotline

info-antimicrobial@epa.gov or
1-703-308-6411

Clean Air Technology Center (CATC) Info-line

www.epa.gov/ttn/catc or 1-919-541-0800

Emergency Planning and Community Right-To-Know Act

[www.epa.gov/superfund/resources/
infocenter/epcra.htm](http://www.epa.gov/superfund/resources/infocenter/epcra.htm) or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or
734-214-4100

National Pesticide Information Center

www.npic.orst.edu/ or 1-800-858-7378

National Response Center Hotline -

to report oil and hazardous substance spills
www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC)

www.epa.gov/opptintr/ppic or
1-202-566-0799

Safe Drinking Water Hotline

[www.epa.gov/safewater/hotline/index.
html](http://www.epa.gov/safewater/hotline/index.html) or 1-800-426-4791

Stratospheric Ozone Protection Hotline

www.epa.gov/ozone or 1-800-296-1996

U. S. EPA Small Business Resources

Toxic Substances Control Act (TSCA) Hotline
tsca-hotline@epa.gov or 1-202-554-1404

Wetlands Information Helpline
www.epa.gov/owow/wetlands/wetline.html or 1-800-832-7828

State and Tribal Web-Based Resources

State Resource Locators
www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)
www.smallbiz-enviroweb.org

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits. The website is a central point for sharing resources between EPA and states.

EPA's Tribal Compliance Assistance Center
www.epa.gov/tribalcompliance/index.html

The Center provides material to Tribes on environmental stewardship and regulations that might apply to tribal government operations.

EPA's Tribal Portal
www.epa.gov/tribalportal/

The Portal helps users locate tribal-related information within EPA and other federal agencies.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

EPA's Small Business Compliance Policy
www.epa.gov/compliance/incentives/smallbusiness/index.html

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy
www.epa.gov/compliance/incentives/auditing/auditpolicy.html

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247), or go to their website at www.sba.gov/ombudsman.

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's action without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against an member of the regulated community in response to comment made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Board, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in an enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards cannot participate in resolving EPA's enforcement actions. Also remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JUL 29 2013

CERTIFIED MAIL 7012 1010 0001 8097 1167
RETURN RECEIPT REQUESTED

Mr. Putnam C. Smith
Registered Agent
Cannon Place, LLC
112 North Main Street
Cumming, Georgia 30040

Re: Letter of Concern and Information Request Pursuant to Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System General Permit No.: GAR100001
Bald Ridge Marina Road Onsite and Offsite Mass Grading Construction Sites
1201 and 1211 Bald Ridge Marina Road, Cumming, Forsyth County, Georgia

Dear Mr. Smith:

On July 9, 2013, the U.S. Environmental Protection Agency Region 4 and the Georgia Department of Natural Resources Environmental Protection Division performed a Compliance Stormwater Evaluation Inspection (CSWEI) of the Bald Ridge Marina Road Onsite and Offsite Mass Grading Construction Sites (Sites) located at 1201 and 1211 Bald Ridge Marina Road in Cumming, Forsyth County, Georgia. The EPA's participation in this inspection was to evaluate Cannon Place, LLC's (Cannon) compliance with the treatment and disposal of stormwater in accordance with the requirements of Section 402(p) of the Clean Water Act (CWA), 33 U.S.C. § 1342(p), the regulations promulgated thereunder at 40 Code of Federal Regulations Part 122.26 and the *Georgia General National Pollutant Discharge Elimination System Permit for Storm Water Discharges Associated With Construction Activity For Stand Alone Construction Projects No. GAR100001* (Permit).

During the CSWEI, the EPA observed significant amounts of sediment in an unnamed tributary on the western length of the Sites that flows into an in-stream regional pond. The regional pond also receives runoff directly from pond A1, which receives stormwater runoff from both Sites. The stream flow discharging from the regional pond was very turbid as it flowed toward Lake Lanier, a traditionally navigable water. Additionally, there appears to be unauthorized discharges occurring from an unpermitted outfall that flows into a grate covering the unnamed tributary located at the southwest portion of the 1211 Bald Ridge Marina Road Site. This outfall was not identified on the copy of the Erosion, Sedimentation and Pollution Control Plan (Plan) presented to the EPA during the inspection. The EPA also observed that erosion prevention measures, sediment control measures and best management practices (BMPs) were not properly maintained throughout the Sites.

The EPA recommends you conduct a thorough assessment of your compliance with the permits at the Sites and make improvements as necessary. You may conclude from your assessment that the Plans need to be updated to address current conditions at the Sites. The EPA is in the process of preparing an Inspection Report describing specific observations made at the Sites during the CSWEI, which will be provided to you in the near future.

As a result of the EPA's observations made during the CSWEI, the EPA is concerned that violations of the CWA and the Permit may be occurring at the Sites. Permit conditions that may be violated at the Sites include, but are not limited to, Part III.D, which requires that BMPs be implemented and maintained for all construction activities in accordance with design specifications contained in the "Manual for Erosion and Sediment Control in Georgia"; and Part IV, which requires the design, installation and maintenance of the Plan including amendment(s) of the Plan whenever there is a change in design, construction, operation or maintenance, which has a significant effect on BMPs or if the Plan proves to be ineffective in eliminating or significantly minimizing erosion and resultant sedimentation.

The EPA is continuing to investigate Cannon's compliance with the CWA and the Permit. Therefore, the EPA hereby requests that Cannon provide the information set forth in Enclosure A within seven business days of your receipt of this letter pursuant to Section 308 of the CWA 33 U.S.C. § 1318.

Your response should be submitted to:

Mr. Sean Ireland
U.S. Environmental Protection Agency, Region 4
Water Protection Division
Clean Water Enforcement Branch
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Responses to this Information Request (IR) should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a duly authorized company official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this IR within seven business days of your receipt of this letter or to adequately justify a failure to respond, may result in an EPA enforcement action pursuant to Section 309 of the CWA 33 U.S.C. § 1319. In addition, there is potential criminal liability for the falsification of any response to the requested information under 18 U.S.C. § 1001.

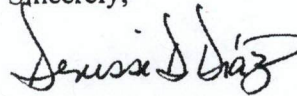
The EPA requests that you preserve, until further notice, all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this IR shall include assurance that these record protection provisions were put in place. No such records shall be disposed of until written authorization is received from the Chief of the Clean Water Enforcement Branch at the U.S. EPA Region 4.

If Cannon believes that any of the requested information constitutes confidential business information, it may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* to assist Cannon in understanding the compliance assistance resources and tools available for small businesses. Any decision to seek compliance assistance at this time, however, does not relieve Cannon of its obligation to the EPA nor does it create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action. In addition, the Securities and Exchange Commission (Commission) requires its registrants to periodically disclose environmental legal proceedings in statements filed with the Commission. To assist Cannon, the EPA has also enclosed a document entitled *Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings*.

We appreciate your prompt attention to this matter. Should you have any questions regarding this IR, please contact Mr. Sean Ireland, Environmental Engineer at (404) 562-9776 or Ms. Tanya Floyd, Associate Regional Counsel at (404) 562-9813.

Sincerely,



Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosures

cc: Mr. Emory Lipscomb
Cannon Place, LLC

Mr. Danny Bennett
Reid & Reid Contractors

Ms. Jan Sammons
Georgia Environmental Protection Division

Mr. Tony Campbell
Georgia Environmental Protection Division

Mr. Scott Morgan
City of Cumming

ENCLOSURE A

INFORMATION REQUEST PURSUANT TO SECTION 308 OF THE CLEAN WATER ACT

Instructions

1. Identify the person(s) responding to this Information Request.
2. Please provide a separate narrative response to each and every Question and subpart of a Question set forth in this Information Request.
3. Precede each answer with the text and the number of the question and its subpart to which the answer corresponds.
4. All documents submitted must contain a notation indicating the question and subpart of the question to which they are responsive.
5. In answering each Information Request question and subpart thereto, identify all documents and persons consulted, examined, or referred to in the preparation of each response and provide true and accurate copies of all such documents.
6. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to the EPA. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify the EPA thereof as soon as possible.
7. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.
8. Where specific information has not been memorialized in a document, but is nonetheless responsive to a question, you must respond to the question with a written response.
9. If information responsive to this Information Request is not in your possession, custody or control, then identify the person from whom such information may be obtained.
10. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
11. All documents provided in an electronic format should be compatible with pdf.
12. All spreadsheet information should be in electronic format and compatible with MS Excel.
13. Information shall be provided for all companies, all subsidiaries, groups, or other corporate entities. Thus, the response to each question concerning the company's activities should reflect information regarding each and every entity.

Definitions

14. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in the Clean Water Act or its implementing regulations, in which case the statutory or regulatory definitions shall control.
15. Words in the masculine may be construed in the feminine if appropriate, and vice versa, and words in the singular may be construed in the plural if appropriate, and vice versa, in the context of a particular question or questions.
16. The terms "And" and "Or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed outside its scope.
17. The term "Identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
18. The term "Identify" means, with respect to a document, to provide its customary business description; its date; its number, if any (invoice or purchase order number); the identity of the author, addressee and/or recipient; and substance of the subject matter.
19. The term "Identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
20. The term "Site" and/or "Sites" mean the Bald Ridge Marina Road Onsite Mass Grading construction site located at 1211 Bald Ridge Marina Road in Cumming, Forsyth County, Georgia, and the Bald Ridge Marina Road Offsite Mass Grading construction site located at 1201 Bald Ridge Marina Road in Cumming, Forsyth County, Georgia.
21. The term "You" and "Your" shall mean Cannon Place, LLC, Reid & Reid Contractors, and/or any company, entity, or corporation that has directed work at the Site.
22. The term "NPDES" or "NPDES Permit" shall mean the State of Georgia General National Pollutant Discharge Elimination System Storm Water Discharges Associated With Construction Activity For Stand Alone Construction Projects Permit (i.e., General Permit No. GAR100001), issued pursuant to the Clean Water Act.
23. The term "Discharge" shall mean the addition of any pollutant to waters of the United States.
24. The term "Wetlands" shall mean those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

25. The term "Stormwater" means any runoff generated when precipitation from rain or snowmelt events flows over land or impervious surfaces and does not percolate into the ground.

Questions

1. Provide a copy of the deed of ownership for each of the Site properties. Specify the state of incorporation and principal place of business for each corporate owner. If incorporated, provide the name and mailing address of the registered agent. Additionally, if the name(s) and/or address(es) of either or both of the Sites' owner has changed since submittal of the Notices of Intent to the Georgia Department of Natural Resources Environmental Protection Division, provide the following information: Identify the name(s) and address(es) of the current owner(s) of the Site property. Specify the legal name with the exact spelling of each owner. Provide the mailing address and phone number for each owner.
2. Identify who provides the day-to-day operational control overseeing the implementation of the Erosion, Sedimentation, and Pollution Control Plan (Plan) at each Site.
3. Provide the following information regarding the timetable of construction activities at each Site:
 - a. Provide the specific date(s) for the commencement of construction at each Site.
 - b. Describe the condition of the surface of each Site (e.g. natural soil, forested, stripped, paved, etc.) before commencement of construction activities.
 - c. Provide the current stage of the construction activity at each construction Site (e.g. clearing/grubbing, grading, infrastructure, building construction, final stabilization, etc.).
4. Provide a copy of any Site inspection reports, notices of violations, administrative orders, cease and desist orders, and/or any related correspondence from the City of Cumming, the Georgia Environmental Protection Division, and/or the United States Army Corps of Engineers related to construction activities at the Sites.
5. Identify the certification and stormwater training obtained by each individual conducting Site inspections from the commencement of construction activities to the date of this Information Request as required by Part IV.D.4 of the Permit. If any Site inspector(s) is/was not certified or have stormwater training, provide an explanation why not.
6. Provide copies of all records required to be retained by Part IV.F.1.b-g of the Permit from the start of construction at the Sites until the date of this Information Request, including:
 - a. The initial Erosion, Sedimentation, and Pollution Control Plan and any amendments thereto (electronic copies preferred);
 - b. The design professional's report of the inspections conducted within seven days after BMPs were installed at each Site, as required by Part IV.A.5 of the Permit;
 - c. All sampling and monitoring information, results, and reports for each Site required by Part IV.D.6 of the Permit;

- d. All inspection reports for each Site generated in accordance with Part IV.D.4.a of the Permit;
- e. All violation summaries and violation summary reports generated in accordance with Part III.D.2 and Part V.A.2 of the Permit; and
- f. Daily rainfall information collected in accordance with Part IV.D.4.a(1)(c) of the Permit.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS (40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that the EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, the EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, the EPA may make the information available to the public without any further notice to you.

40 C.F.R. § 2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to the EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by the EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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ATLANTA, GEORGIA 30303-8960

JUL 19 2013

CERTIFIED MAIL 7012 1010 0001 8097 4915
RETURN RECEIPT REQUESTED

Mr. Anthony Cantrell
President
Willcan, Inc.
P.O. Box 1357
Calhoun, Georgia 30703

Re: Information Request Pursuant to Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System General Permit No.: GAR050000
Basic Ready Mix Concrete at Dalton, Rome, Rock Springs, and Adairsville, Georgia

Dear Mr. Cantrell:

On May 21, 2013, the U.S. Environmental Protection Agency Region 4 conducted compliance stormwater evaluation inspections at the Basic Ready Mix Concrete facilities located at 621 Thompson Street, Cedartown, Georgia and at 712 North Wall Street, Calhoun, Georgia. The purpose of the inspections was to evaluate the facilities' compliance with the treatment and disposal of stormwater in accordance with the requirements of Sections 301 and 402(p) of the Clean Water Act (CWA), 33 U.S.C. §§ 1311 and 1342(p), the regulations promulgated thereunder at 40 C.F.R. § 122.26 and the State of Georgia Storm Water Discharges Associated with Industrial Activity, Permit No. GAR050000 (Permit) effective on June 1, 2012.

The EPA is continuing to investigate Willcan, Inc.'s (Willcan) compliance with the CWA and the Permit at its other facilities. The EPA hereby requests that Willcan please provide the information set forth below within seven business days of your receipt of this letter, pursuant to Section 308 of the CWA, 33 U.S.C. § 1318. Furthermore, the EPA requests that Willcan provide the following information for each of the Basic Ready Mix Concrete facilities located in Dalton, Rome, Rock Springs, and Adairsville, Georgia:

1. A copy of the current Storm Water Pollution Prevention Plan (SWPPP) and any other SWPPPs that may have been in effect since June 1, 2012;
2. From June 1, 2012, to the present, documentation of employee training in accordance with Part 5.1.1.2 of the Permit;
3. From June 1, 2012, to the present, documentation of quarterly routine facility inspections in accordance with Part 4.1 of the Permit;

4. From June 1, 2012, to the present, documentation of quarterly visual assessments in accordance with Part 4.2 of the Permit;
5. From June 1, 2012, to the present, documentation of the annual comprehensive site inspection in accordance with Part 4.3 of the Permit;
6. From June 1, 2012, to the present, a copy of the certification of the non-storm water evaluation in accordance with Part 4.3.1.1.g of the Permit;
7. From June 1, 2012, to the present, documentation of benchmark monitoring in accordance with Part 6 and Appendix C of the Permit;
8. From June 1, 2012, to the present, a copy of the annual report in accordance with Part 7.2 of the Permit;
9. From June 1, 2012, to the present, documentation of conducting additional sector requirements associated with Sector E as outlined in Part 8.E of the Permit.

Your response should be submitted to:

Mr. Michael Hom
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Responses to this Information Request (IR) should specifically reference the particular number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a duly authorized company official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this IR within seven business days or to adequately justify a failure to respond, may result in an EPA enforcement action pursuant to Section 309 of the CWA, 33 U.S.C. § 1319. In addition, there is potential criminal liability for the falsification of any response to the requested information under 18 U.S.C. § 1001.

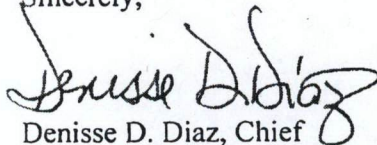
The EPA requests that you preserve, until further notice, all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to

this IR shall include assurance that these record protection provisions were put in place. No such records shall be disposed of until written authorization is received from the Chief of the Clean Water Enforcement Branch at the U.S. EPA, Region 4.

If Willcan believes that any of the requested information constitutes confidential business information, it may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure A.

We appreciate your prompt attention to this matter. Should you have any questions regarding this IR, please contact Mr. Hom at (404) 562-9748, Mr. Kenneth Kwan at (404) 562-9752, or Ms. Michele Wetherington, Assistant Regional Counsel, at (404) 562-9613.

Sincerely,

A handwritten signature in black ink, appearing to read "Denisse D. Diaz", is written over the typed name.

Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosure

cc: Mr. Jack Capp
Georgia Environmental Protection Division

ENCLOSURE A

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that the EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, the EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, the EPA may make the information available to the public without any further notice to you.

40 C.F.R. § 2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to the EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by the EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JUL 12 2013

CERTIFIED MAIL 7012 1010 0001 8097 0177
RETURN RECEIPT REQUESTED

The Honorable Bob Shutt
Mayor of Savannah
140 Main Street
Savannah, Tennessee 38372

Re: Information Request – Section 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit No.: TN0061565

Dear Mayor Shutt:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the U.S. Environmental Protection Agency, Region 4 hereby requests the City of Savannah (the City) to provide the information set forth in Enclosure A regarding the wastewater treatment plant noted above and its associated sanitary sewer collection system. The City is required to respond to this information request within 30 days of its receipt of this letter. The response should be directed to:

Mr. Dennis Sayre, Enforcement Officer
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The City's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

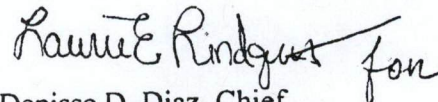
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

The City shall preserve, until further notice, all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the Clean Water Enforcement Branch of the U.S. EPA, Region 4.

Please feel free to contact Mr. Dennis Sayre, Enforcement Officer at (404) 562-9756 or by email at sayre.dennis@epa.gov, if you have questions regarding this notice and information request.

Sincerely,

A handwritten signature in black ink, appearing to read "Denise D. Diaz" followed by a stylized flourish.

Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosure

cc: Ms. Jessica Murphy
Tennessee Department of Environment and Conservation

ENCLOSURE A

SSO PROGRAM City of Savannah, TN

1. Provide the following:
 - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
 - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
 - c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the City's WWTP;
 - d. The average design flow of the City's WWTP;
 - e. The peak design flow of the City's WWTP;
 - f. The annual average flow of the City's WWTP; and
 - g. The population served by the City's WWTP and its respective SSS.
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from June 2008 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has a formal written plan for responding to, addressing, and reporting SSOs (i.e., a Sewer Overflow Response Plan ("SORP")), provide a copy of the plan.

4. Provide a copy of any additional City procedures not included in the SORP (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Tennessee.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

AUG 15 2013

CERTIFIED MAIL 7012 1010 0001 8097 4816
RETURN RECEIPT REQUESTED

City of Montgomery Alabama
c/o Mr. Thomas R. Morgan
General Manager
Waterworks and Sanitary Sewer Board
22 Bibb Street
Montgomery, Alabama 36102

Re: Information Request - Section 308 of the Clean Water Act
The City of Montgomery, Alabama
National Pollutant Discharge Elimination System Permit Nos.: AL0027863
(Catoma Wastewater Treatment Plant), AL0022225 (Econchate Wastewater Treatment Plant)
and AL0022241 (Towassa Wastewater Treatment Plant)

Dear Mr. Morgan:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the Environmental Protection Agency Region 4 hereby requests the Water Works and Sanitary Sewer Board of the City of Montgomery (the City) provide the information set forth in Enclosure A regarding the wastewater treatment plants noted above and their associated sanitary sewer collection systems. The City is required to respond to this information request within 30 days of its receipt of this letter. This request follows the closure of Administrative Order (AO) CWA 04-2010-4769 and is being issued to assess the effectiveness of the actions implemented by the City as a result of the AO. The response should be directed to:

Ms. Laurie Jones, Enforcement Officer
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The City's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or

persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

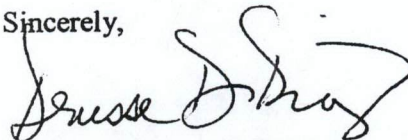
The City shall preserve, until further notice, all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the Clean Water Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet*, which may assist you in understanding the compliance assistance resources and tools available. However, any decision to seek compliance assistance at this time does not relieve the City of its obligations to the EPA or the State of Alabama, does not create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

If you have questions regarding this notice and information request please contact Ms. Laurie Jones, Enforcement Officer, at (404) 562-9201 or by email at jones.laurie@epa.gov.

Sincerely,



Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosures

cc: Ms. Glenda Dean
Alabama Department of Environmental Management

ENCLOSURE A

SSO PROGRAM The City of Montgomery, AL

1. Provide the following:

- a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
- b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
- c. A list of all constructed overflow points (any unpermitted constructed discharge points) in the SSS (including pump stations) prior to the headworks of the Board's WWTP;
- d. The average design flow of the City's WWTP;
- e. The peak design flow of the City's WWTP;
- f. The annual average flow of the City's WWTP; and
- g. The population served by the City's WWTP and its respective SSS.

2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (U.S.); overflows or releases of wastewater that do not reach waters of the U.S.; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred from March 2011 to the present. For each SSO provide the following:

- a. Date(s) of the SSO;
- b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
- c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
- d. Time (and Date if other than a. above) when the SSO ceased;
- e. Time (and Date if other than a. above) when corrective action was completed;
- f. Location of the SSO, including source (pump station, manhole, etc.);
- g. Ultimate destination of the SSO, such as surface waterbody (by name, if available), storm drain leading to surface waterbody (by name, if available), dry land, building, etc.;
- h. Volume of the SSO;
- i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
- j. Corrective actions taken to stop the SSO; and
- k. Corrective actions taken to prevent this or similar SSOs in the future.

If available, please provide the above information in a Microsoft compatible spreadsheet format.

3. If the City has made any updates to the Sanitary Sewer Overflow Response Plan ("SORP") or the Grease Control Program Work Plan submitted to EPA on September 27, 2010, provide a copy of the updated plan(s).

4. Provide a copy of any additional City procedures not included in the SORP or Grease Control Work Plan (as referenced in Question 3 above) for the following activities:
 - a. Documenting SSOs;
 - b. Estimating SSO volume;
 - c. Identifying root causes of SSOs;
 - d. Containment and clean-up of SSOs, including any specific procedures addressing backups into buildings caused by mainline problems;
 - e. Identifying wet weather related SSOs and reconnaissance of these during rain events; and
 - f. All reporting of SSOs to the permitting authority, the State of Alabama.
5. Provide the name of the person (or position title) responsible for each of the activities identified in the City's SORP and/or listed in Question 4 above.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

AUG 19 2013

CERTIFIED MAIL 7012 1010 0001 8097 0962
RETURN RECEIPT REQUESTED

City of Daytona Beach
Attn: Mr. Chris Wall
Wastewater Facilities Superintendent
Post Office Box 2451
Daytona Beach, Florida 32115

Re: Notice of Violation No.: 309-2013-10
Information Request pursuant to 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit No.: FL0025984
Compliance Evaluation Inspection Report

Dear Mr. Wall:

Enclosed with this letter is the Compliance Evaluation Inspection report written for the City of Daytona Beach (City) Bethune Point Wastewater Treatment Facility resulting from an inspection conducted by the U.S. Environmental Protection Agency Region 4 and PG Environmental, LLC (an EPA contractor) on April 16-17, 2013. The report outlines several deficiencies that the City must address to ensure full compliance with its National Pollutant Discharge Elimination System (Permit) Permit No.: FL0025984.

Pursuant to Section 309(a)(1) of the Clean Water Act (CWA), 33 U.S.C. §1319(a)(1), the EPA also hereby notifies the City that on numerous occasions it has violated its Permit as indicated by the effluent limit exceedances listed below:

Parameter	Violation	Measurement	Limit	Outfall	Reporting Period
Biological Oxygen Demand, 5-Day (BOD ₅)	Single Sample	13.9 mg/L	10 mg/L	001	04/30/2010
Biological Oxygen Demand, 5-Day (BOD ₅)	Single Sample	15 mg/L	10 mg/L	001	03/31/2010
Total Cyanide	Single Sample	5.4 mg/L	1.0 mg/L	001	06/30/2012
Enterococci	Monthly Average	38 /100 ml	35/100ml	001	08/31/2012
Enterococci	Monthly Average	80/100 ml	35/100ml	001	07/31/2011
Enterococci	Monthly Average	67/100 ml	35/100ml	001	06/30/2011
Enterococci	Monthly Average	82/100 ml	35/100ml	001	05/31/2011
Enterococci	Monthly Average	37/100 ml	35/100ml	001	11/30/2010
Enterococci	Monthly Average		35/100ml	001	10/31/2010
Total Nitrogen	Annual Average	704 lbs/day	570 lbs/day	001	03/31/2010

Internet Address (URL) • <http://www.epa.gov>

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 30% Postconsumer)

Parameter	Violation	Measurement	Limit	Outfall	Reporting Period
NOEL Statre 7 Day Chronic Pimephales	Monthly Minimum	≥100	56.9	001	05/31/2010
Dissolved Oxygen	Daily Minimum	1.7 mg/L	2.0 mg/L	001	04/30/2010
Dissolved Oxygen	Daily Minimum	1.1 mg/L	2.0 mg/L	001	03/31/2010
pH	Daily Minimum	6.3	6.5	001	10/31/2012
pH	Daily Minimum	6.4	6.5	001	09/30/2012
pH	Daily Minimum	6.4	6.5	001	02/28/2011
pH	Daily Minimum	6.3	6.5	001	01/31/2011
pH	Daily Minimum	6.0	6.5	001	12/31/2010
pH	Daily Minimum	6.4	6.5	001	10/31/2010
pH	Daily Minimum	6.3	6.5	001	09/30/2010
pH	Daily Minimum	6.4	6.5	001	07/31/2010
pH	Daily Minimum	6.3	6.5	001	04/30/2010
pH	Daily Maximum	8.6	8.5	001	02/28/2013
pH	Daily Maximum	8.6	8.5	001	02/28/2011
pH	Daily Maximum	8.6	8.5	001	12/31/2010
pH	Daily Maximum	8.9	8.5	001	11/30/2010
Total Suspended Solids	Single Sample	66 mg/L	10 mg/L	001	03/31/2010
Total Suspended Solids	Weekly Average	19.3 mg/L	7.5 mg/L	001	03/31/2010
Total Suspended Solids	Monthly Average	7.5 mg/L	6.25 mg/L	001	03/31/2010
Compliance Schedule (FL-N00000238)	unachieved and not reported				09/30/2012

The EPA requests, pursuant to Section 308 of the CWA 33 U.S.C. §1318, that the City provide a written explanation of the reasons for each of the deficiencies identified in the inspection report as well as each of the effluent limit exceedances listed above. Please provide a summary of actions taken or planned by the City to correct the problems to prevent future violations. In instances where the actions are planned, please include a schedule for completing the actions.

The City's response should specifically reference the particular element of the inspection report or the effluent limit and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible official:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

The City shall preserve, until further notice, all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the Clean Water Enforcement Branch of the U.S. EPA Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure D.

The City must submit the requested information within 30 days of receipt of this correspondence. The submittal must be addressed to:

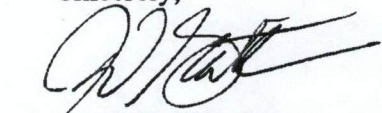
Ms. Alenda Johnson
U.S. Environmental Protection Agency Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The State of Florida (State) is being concurrently notified of these findings. The EPA is coordinating with the State to ensure that timely and appropriate enforcement action is taken and compliance with the conditions of the Permit is achieved.

If these violations are not resolved in a timely or appropriate manner and/or if the City fails to respond to the Information Request, the EPA may take enforcement action, which may include issuance of an administrative order, assessment of administrative penalties or initiation of a civil judicial action pursuant to Section 309 of the CWA 33 U.S.C. §1319.

If you have questions regarding this notice and information request, please contact Ms. Alenda Johnson at (404) 562-9761 or via email at Johnson.Alenda@epa.gov.

Sincerely,



James D. Giattina
Director
Water Protection Division

Enclosure

cc: Ms. Jessica Kleinfelter
Florida Department of Environmental Protection



U.S. Environmental Protection Agency
Office of Compliance and Enforcement
1200 Pennsylvania Avenue, NW
Washington, DC 20460

U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, SW
Atlanta, GA 30303

COMPLIANCE EVALUATION INSPECTION

**CITY OF DAYTONA BEACH,
FLORIDA**

INSPECTION REPORT

Inspection Dates:

April 16 - 17, 2013

Report Date: June 25, 2013

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TABLE OF CONTENTS

	Page
I. INTRODUCTION	3
II. MAJOR OBSERVATIONS.....	4
A. Maintenance of Collection System	4
B. Sanitary Sewer Overflows	6
C. Lift Stations.....	7
D. Wet Weather Capacity	8
E. FOG Program.....	8
F. Wastewater Treatment Plants	9
III. ASSESSMENT OF COMPLIANCE WITH PERMIT REQUIREMENTS	10
Finding 1. Failure to properly operate and maintain the facility and systems of treatment and control.	10
Finding 2. Failure to prevent unauthorized discharges	11
Finding 3. Failure to implement the necessary legal authorities to require compliance with FOG control ordinances.....	12

LIST OF APPENDICES

- Appendix A: Asset-specific Observations
Appendix B: Stoppage Response Work Order Form
Appendix C: SSO Reporting Form

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I. INTRODUCTION

On April 16 and 17, 2013 the U.S. Environmental Protection Agency (EPA) with assistance from PG Environmental, LLC (PG), an EPA contractor, (collectively, EPA Inspection Team) inspected the City of Daytona Beach's (City's) wastewater collection system. The EPA Inspection Team evaluated the City's compliance as it relates to the operation and maintenance (O&M) of the collection system as well as their reporting procedures. The compliance inspection consisted of the following major activities:

- Discussions with representatives from the City regarding the O&M of the collection system and wastewater treatment plants (WWTPs), reporting procedures, collection system plans and manuals, and capital improvement program.
- Observation of the WWTP and collection system O&M staff activities.
- A physical inspection of the City's assets including its WWTPs, collection system, and lift stations.
- Examination of the City's collection system operations, maintenance, and reporting records.

The City provides sewage collection for the City of Daytona Beach and portions of unincorporated Volusia County through 534 miles of sanitary sewer lines and 136 lift stations. Of the 534 miles of sanitary sewer lines, 281 miles are gravity mains; 142 miles are gravity laterals; and 111 miles are force mains. The City also provides wastewater conveyance and treatment for the City of South Daytona. The collection system is composed of two service areas which discharge to the Westside Regional WWTP and the Bethune Point WWTP. The total population served by the City's two WWTPs is approximately 80,700 people.

The Bethune Point and Westside Regional WWTPs discharge effluent to the Halifax River via a combined discharge point at the Bethune Point WWTP. The effluent from the Westside Regional WWTP is pumped via a force main to the Bethune Point WWTP where it is blended with the Bethune Point WWTP effluent at a convergence point prior to discharge. Discharge from the combined outfall is regulated under the National Pollutant Discharge Elimination System (NPDES) Permit FL0025984.

This report summarizes the results of the inspection. The following personnel were involved in the inspection of the City's WWTPs and collection system:

City of Daytona Beach Representatives:	Lynn Stevens, Deputy Director
	Robert Preis, Manager of Field Operations
	Robin Cook, Regulatory Compliance Officer
	Bill Banks, Central Maintenance Superintendent
	William Rice, Lift Station Maintenance Coordinator
	Chris Wall, Wastewater Facilities Superintendent
	Robert Terpstra, Chemist

EPA Inspection Team:

Richard Elliott, EPA Region 4
Sara Schiff, EPA Region 4
Danny O'Connell, PG Environmental, LLC
Pieter Beyer, PG Environmental, LLC

Florida Department of Environmental
Protection (FDEP):

David Smicherko, Department of Wastewater Compliance
Assurance
Jenny Farrell, Department of Wastewater Compliance
Assurance

II. MAJOR OBSERVATIONS

The following section of the report provides the EPA Inspection Team's major observations made during the inspection. For a detailed list of assets visited during the inspection and additional asset-specific observations see Appendix A.

A. Maintenance of Collection System

The Field Division of the City's utility department is responsible for performing corrective and preventive maintenance of the City's sewer lines and responding to collections system stoppages and overflows. It includes a staff of 12 field workers and one supervisor. The field crew shift is Monday through Friday from 6:00 a.m. to 3:30 p.m., with a skeleton crew shift from 3:30 p.m. to 11:00 p.m. on weekdays. The Field Division has access to three jetter/vactor combination trucks, one jetter truck, two TV inspection trucks, one trailer-mounted sewer line auger, and a stoppage response van which includes a sewer snake and a sewer lateral mini-camera inspection kit. One of the jetter/vactor combination trucks had been out of service for several months prior to the inspection due to mechanical break downs. Additionally the majority of the equipment appears to be approaching the end of its usable life, and City staff stated that the funding has not been available in the past to replace the aging equipment.

Preventive Maintenance

Although three jetter/vactor combination trucks are available if needed, City staff stated that, until recently, two of the trucks were being used for the preventive maintenance cleaning of the City's storm sewer system, leaving only one truck available for preventive maintenance cleaning of the sanitary sewer system. The allocation of two of the trucks to the storm sewer system was part of a City program to perform a system-wide cleaning of the sanitary sewer system followed by a system-wide cleaning of the storm sewer system. The system-wide sanitary sewer system cleaning was completed approximately seven years ago, after which the two trucks were re-allocated to clean the storm sewer system. City staff stated that the storm sewer system cleaning was completed approximately six months ago and the trucks are now allocated equally between the sanitary and storm sewer systems.

The initial system-wide sanitary sewer system cleaning using all three trucks took approximately five years to complete, which equates to a rate of cleaning of 20% of the collection system per year. A review of the preventive cleaning records for the past six months when the equivalent of 1.5 trucks was allocated

to the sanitary sewer system showed that the city achieved a rate of cleaning of approximately 10% of the collection system per year.

Collection System Stoppages and Overflows

Customer complaints for collection system stoppages are received by the utility department's dispatch center. The dispatch center inputs the complaint information into a computerized work order tracking system called HiperWeb and dispatches the stoppage and overflow response van to the complaint location. The field crew operating the response van initially checks the City's records to determine whether there have been any past inspections or maintenance activities for the problem location. Upon arriving on location, the crew opens the upstream and downstream manholes to determine whether the sewer main is flowing. If the sewer main is surcharged or flowing sluggishly, a jetter/vactor truck is dispatched to break the blockage and remove any debris from the sewer main. If the sewer main is flowing properly, the field crew snakes and inspects the customer's sewer lateral using the mini-camera to determine if the stoppage is located in the portion of the sewer lateral for which the City is responsible (sewer main to the property line), or whether it is a private lateral problem.

The stoppage response field crews document their findings and actions taken on a hardcopy work order form (see Appendix B) and also radio dispatch with the same information for input into the HiperWeb system. At the end of their shifts the field crews submit the hardcopy forms to the Sewer Line Maintenance Coordinator who also enters the information into an Excel spreadsheet and files the hardcopy forms by address for future reference. Additionally, if a field crew inspects a line with the mini-camera, the Sewer Line Maintenance Coordinator records the findings of the TV inspection in an Access database used to track all TV inspections performed in the collection system.

If an overflow has occurred, a sanitary sewer overflow (SSO) form is completed with additional information required for overflow reporting (see Appendix C), and the City's Regulatory Compliance Officer is notified so the appropriate reporting procedures can be implemented.

In 2012 the City responded to 313 sewer stoppage customer complaints, of which 117 (37%) were found to be a result of a City problem. A review of the work orders for these stoppages showed that the City does not typically record the cause of the stoppages, so no analysis could be performed to identify what the predominant cause of collection system stoppages is. Without accurate records of the cause(s) and detailed descriptions of the debris causing the stoppages (including type and amount of solids), appropriate cleaning and repair schedules cannot be created. In addition, proper development of capital improvement plans relies on having a detailed knowledge of the condition of the collection system. Descriptions of sewer assets that are generated during maintenance activities are a key component of developing this knowledge.

Hot-spot Cleaning

The City maintains a list of hot-spots in the collection systems which have been prone to stoppages. Field crews indicated that the hot-spots are caused by a combination of poor hydraulic conditions, areas of low flow (dead-end lines), and accumulation of debris and grease. Every Friday, field crews inspect the hot spots and clean them if necessary.

The sewer line maintenance coordinator routinely reviews the aforementioned stoppage complaints spreadsheet to identify any new hot-spots which need to be added to the list. City staff also stated that no hot-spots had been removed from the list in the past year.

The EPA Inspection Team visited several of the hot-spot locations during the inspection (see Appendix A) and did not observe any indication of recent stoppages, overflows, or significant accumulation of grease or debris.

B. Sanitary Sewer Overflows

Over the past five years, the City has reported a total of 140 SSOs to FDEP, with a total estimated overflow volume of 66,202 gallons (see Table 1). This results in an average sewer overflow rate of 0.052 overflows per mile of sewer pipe per year and an average estimated volume of 24.8 gallons of overflow per mile of sewer pipe each year.

A review of the SSOs reported to FDEP indicates that the City reports overflows to buildings and from laterals and cleanouts if they were caused by blockages or failures of a City asset.

Table 1. Number and Volume of SSOs Reported to FDEP

Year	Number of SSOs Reported	Estimated Volume of SSOs (gal)
2008	44	4,931
2009	33	4,112
2010	20	26,057
2011	25	15,405
2012	18	15,697
5-year Total	140	66,202
Annual Average	28	13,240
Annual Average per Mile of Pipe	0.052	24.8

It should be noted that the City reported that about 52.5 percent of the overflowed wastewater was contained onsite and did not reach a water body. The remaining 31,480 gallons were not contained and flowed to either the Tomoka or Halifax Rivers.

Of the 140 SSOs reported in the five-year period, 108 were overflows of less than 100 gallons, 13 were between 100 and 1000 gallons, and 11 were over 1,000 gallons. Eight SSOs did not include a volume estimate.

A review of the causes of the SSOs shows that the majority is caused by blockages due to grease, debris, and rags (see Table 2). As discussed in section II.A of this report, the City stated that over the past several years some of its sewer cleaning assets had been re-allocated for the cleaning of the storm sewer system, which may have resulted in an increase in blockages in the sanitary sewer system. The storm sewer cleaning effort was recently completed and the City stated that the cleaning frequency of the sanitary

sewer system has been increased to address the blockage concerns. The available SSO data did not include a specific field for the observation of sand in the collection system, which would be typical of structural failures in a beach-side collection system.

Table 2. Causes of SSOs

Cause	Number of SSOs	Percent of Total
Blockages due to grease, debris, and rags	85	61 %
Pipe breaks	16	11 %
Lift station failure	14	10 %
Inflow and infiltration	10	7 %
Power supply failure	8	6 %
Other	4	3 %
Roots	3	2 %
Total	140	100 %

C. Lift Stations

The maintenance of the City's 136 lift stations is performed by five mechanics and a supervisor within the City's Central Maintenance Division. The lift stations are divided amongst the five mechanics and mechanics inspect their respective lift stations on a weekly basis. The City has identified five of the lift stations as "master" lift stations; these are the final lift stations of a sewershed. The master lift stations are inspected on a daily basis.

The lift station inspections typically include a visual inspection of the mechanical equipment and dry well, and completion of preventive maintenance activities. The EPA inspection Team visited several lift stations and observed that the wet wells did not appear to have been opened and inspected recently, indicating that the mechanics typically do not perform wet well inspections. The City classifies wet wells and their associated entryways as confined spaces.

The City currently remotely monitors the operation of 125 lift stations using a supervisory control and data acquisition (SCADA) system. The SCADA system includes alarms for wet well level, power failure, and pump failure. The polling cycle for the SCADA system to contact and retrieve data from each of the lift stations takes approximately 20 to 30 minutes. The SCADA system alarms are monitored by the City's dispatch center, the lift station maintenance supervisor, and the WWTP control centers.

Thirteen of the lift stations have been equipped with backup generators, and seven portable generators are available for the remaining 123 lift stations in the event of a power failure. The portable generators are wired directly into the electrical boxes powering the lift stations. Quick connect 'pigtail' plugs were observed at the lift stations during the inspection, however, City staff stated that they are typically not used. The City also has approximately 10 portable pumps which can be quickly connected to pump around failed lift stations. The City has equipped all of its lift stations with upstream and downstream connection points for the portable pumps.

Lift station 34 was reported to have significant sand issues. Due to the piping configuration and the amount of sand received by this beach-side lift station, the No. 1 pump in the station typically becomes blinded by sand if it is turned off. To ensure that the No. 1 pump is not blinded or damaged by the excessive sand deposits, it is used continuously as the service (lead) pump. Pumps No. 2 and No. 3 are alternated as the lag pumps.

Lift station 10 has been scheduled by the City for replacement. The design of the replacement lift station has been completed and the City is evaluating financing options. The station's dry well houses three pumps. The dry well was observed to have various depths of wastewater across the floor, mixed with general debris and heavy rust accumulations (see Photos 25 through 27). The access to the wet well was from a separate entry door. The EPA Inspection team was informed that the wet well was a confined space. The entry door was not labeled as a confined space. The entry way, hand railing, and electrical structures exhibited heavy corrosion and there was a failure of electrical wiring (see Photos 28 and 29). The last inspection of the wet well was not documented in the lift station maintenance log. An inspection of this wet well will require a confined space entry permit and the appropriate support team and safety equipment. A review of the station's pump hour log found that there were no hour entries for the No. 3 pump during the March Daytona Bike Week Event, when high flows are typically experienced. There was no documentation explaining the status of the pump during this event; however the pump hour log suggests that the pump was not run during this time period. Bike Week is one of the City's peak flow events and it was anticipated that lift stations in core areas would be running at peak flow rates.

D. Wet Weather Capacity

The City has a hydraulic model of its force main system; however the City has not modeled its gravity sewer lines to evaluate any wet weather capacity issues. Approximately 7 percent of the City's SSOs in the past five years were reported to be caused by inflow and infiltration (I&I). It should be noted that I&I can also introduce significant quantities of sand and grit to the collection system. A review of the associated SSO records did not indicate any areas with recurring I&I SSOs.

E. FOG Program

The City's industrial pretreatment program is responsible for the implementation of the City's FOG control program. The City stated that prior to April of 2013 the City's ordinances did not allow the industrial pretreatment program to properly implement its FOG control program because the ordinances lacked enforceability. During the inspection the City described multiple instances to the EPA Inspection Team where it had notified food service establishments that their failure to maintain their grease traps had caused downstream overflows, however, the food service establishments were not responsive and the City lacked the ability to take enforcement action to force the establishments to service their grease traps. During instances such as these the City collaborated with the county health department for further enforcement action, or in some instances worked with the water department to shut off water service to an establishment if an active overflow was occurring at the establishment as a result of the establishment's negligence.

In April 2013 the City passed a new FOG control ordinance which provided additional avenues of enforcement that will allow the City to more aggressively police the discharge of FOG to the collection system in order to remedy its historic lack of enforcement capabilities.

F. Wastewater Treatment Plants

The EPA Inspection Team inspected both the Bethune Point and Westside Regional WWTPs. The focus of the WWTP inspections was to conduct general discussions with City staff on how the facilities approached wet weather and special event operations. The inspection included a brief review of the operations and maintenance programs for the WWTPs and a visual inspection of the WWTP facilities.

The Bethune Point WWTP has an average design flow of 13 million gallons per day (MGD); however in 2012 the annual average flow was only 4.9 MGD. The Westside Regional WWTP has an average design flow of 15 MGD; however in 2012 the annual average flow was only 7.2 MGD. City staff stated that the WWTPs are oversized in order to accommodate the large festivals that occur in Daytona Beach every year (Daytona Bike Week, Oktoberfest, and NASCAR races at the Daytona International Speedway). During these events, the service population for the WWTPs increases from 80,000 people to approximately 400,000 people. Sludge from the Bethune Point WWTP is pumped via force main to the Westside Regional WWTP for further treatment.

The EPA Inspection Team observed that a significant amount of the mechanical equipment at both WWTPs had failed, and that repairs were not being completed in a timely manner. The mechanical issues include failure of the screening and grit removal systems at both WWTPs, various pumping and mixing equipment which was in need of rehabilitation (according to City staff), and failed flow meter equipment at the Bethune Point WWTP. City staff stated that some of the equipment failures have gone unrepaired for anywhere from several months to several years. The EPA Inspection team requested to see work orders associated with the repair of the grit removal system at the Westside Regional WWTP, but the work orders could not be found. The City stated that a lack of funds for spare parts or replacement equipment was the primary cause of the delay in repairs.

The EPA Inspection Team noted instances in which spare parts had been scavenged from redundant treatment units, rendering the scavenged units inoperable and thereby eliminating the WWTPs' redundant capabilities. A specific example of this includes the removal of two mixer motors from one of the Westside Regional WWTP Bardenpho processes (see Photo 1).

A mixer shaft and blade assembly in one of the offline process tanks at the Westside Regional WWTP was observed to have been completely fouled with what appeared to be vine-like vegetation (see Photo 2). Vegetation was also observed at various other locations within the WWTP's process units (see Photos 2 – 5, 8, 9, and 15). It appeared that the vegetation would hinder the operation of these treatment processes if these units were brought back into service.

The grit removal systems at both WWTPs have been out of service for more than eight years (based on staff knowledge, no written documentation was available), resulting in the accumulation of grit in the downstream treatment processes, as well as excessive wear on the supporting mechanical equipment. At

the Westside Regional WWTP this practice, in combination with a failure to perform regularly scheduled preventive cleaning, resulted in the accumulation of 2,622 cubic yards of grit and sand in the Bardenpho process. The grit and sand was removed by a contractor in 2011. The contractor added water to the grit and sand to create a slurry which was then pumped into a dammed area along the southern perimeter of the WWTP (see Photos 6 and 7). The water was allowed to drain from the slurry leaving behind the grit and sand. It is unclear to the EPA Inspection Team how the water which drained from the slurry was handled, and whether it was captured or allowed to flow offsite.

The results of a brief review of the operation of the treatment processes at the Westside Regional WWTP were cross referenced with the WWTP operations log. It was determined that certain operations were not being entered into the operations log. Specifically, the operations team was bleeding previously stored wet weather event wastewater into the process at the time of the inspection. The specific start time, rates of induction, and other process control information were not being recorded in the operations log.

III. ASSESSMENT OF COMPLIANCE WITH PERMIT REQUIREMENTS

The EPA Inspection Team evaluated the City's compliance as it relates to the operation and maintenance of the City's WWTPs and collection system, as well as recordkeeping and reporting procedures. It should be noted that in addition to the conditions and limitations in the Permit, the City is also required to adhere to the requirements of the Clean Water Act and Florida Administrative Code (FAC). The EPA Inspection Team's findings are summarized in Table 3 below.

Table 3. Findings of Potential Noncompliance

Requirement	Permit References
Finding 1. Failure to properly operate and maintain the facility and systems of treatment and control.	Part IX.7 of Permit Section 62-620.610(7) of FAC
Finding 2. Failure to prevent unauthorized discharges.	Part IX.5 of Permit
Finding 3. Failure to implement the necessary legal authorities to require compliance with FOG control ordinances.	Part VII.3.a of Permit

Finding 1. Failure to properly operate and maintain the facility and systems of treatment and control.

The City has failed to properly operate and maintain its WWTPs as required by Part IX.7 of the Permit, as well as Section 62-620.610(7) of the FAC which require that:

The permittee shall at all times properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used by the permittee to achieve compliance with the conditions of this permit. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit.

As discussed in Section II.F of this report (Wastewater Treatment Plants), the City has failed to address equipment failures at the WWTPs in a timely manner. This has resulted in failure of entire treatment processes, such as the screening and grit removal systems, as well as the loss of redundant processes which would be required in the event of an equipment failure in the operable treatment processes. A direct impact of this practice has already been experienced by the City when it needed to remove approximately 2,000 cubic yards of grit and sand from its Bardenpho processes due to the failure of its screening and grit removal systems. In addition, two mixer motors were removed from service for unknown reasons. Field observation documented a similar mixer unit with an inoperable shaft and blade assembly due to vegetation growth.

As discussed in Section II.C of this report (Lift Stations), numerous observations were made regarding the condition of the collection system lift stations. These included damage to lift station wet wells due to aggressive environmental conditions, incomplete records of lift station operation and maintenance, and unfavorable operational conditions such as the lift station 34 sand accumulation.

As a result of the inspection, the EPA Inspection Team has concluded that the City has failed to properly operate and maintain its WWTPs and lift stations as required by Part IX.7 of the Permit, as well as Section 62-620.610(7) of the FAC.

Finding 2. Failure to prevent unauthorized discharges

The City has failed to prevent unauthorized discharges from its collection system as required by Part IX.5 of the Permit. Specifically, Part IX.5 of the Permit requires the following:

This permit does not relieve the permittee from liability and penalties for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted source; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment..

As discussed in section II.B of this report (Sanitary Sewer Overflows), the City has reported a total of 140 SSOs to FDEP over the past five years (see Table 1). This results in an average sewer overflow rate of 28 overflows per year. The SSOs are unauthorized discharges in violation of the condition of the Permit. As a result, the City has failed to prevent unauthorized discharges from its collection system as required by Part IX.5 of the Permit.

Finding 3. Failure to implement the necessary legal authorities to require compliance with FOG control ordinances

The City has failed to implement the necessary legal authorities to enforce its FOG control ordinances as required by Part VII.3.a of the Permit. Specifically, Part VII.3.a of the Permit requires the following:

Implementing the necessary legal authorities as provided in Rule 62-625.500(2)(a), F.A.C. This includes, among other things, the authority to require compliance with applicable pretreatment standards, which includes general prohibitions listed in Rule 62-625.400(1), F.A.C., specific prohibitions in Rule 62-625.400(2), F.A.C., locally developed limits as required by Rules 62-625.400(3) and (4), F.A.C., and national categorical limits in accordance with Rule 62-625.410, F.A.C.

As discussed in section II.E of this report (FOG Control Program), the City stated that in the past its FOG control ordinances have lacked the necessary wording to establish the City's authority to require its FOG dischargers to comply with the City's FOG control ordinances. The City stated to the EPA Inspection Team that this has resulted in repetitive sanitary sewer overflows due to grease blockages caused by food service establishments which had failed to maintain their grease traps even after the City had made them aware of the consequences of not doing so.

As a result, the City has failed to implement the necessary legal authorities to enforce its FOG control ordinances as required by Part VII.3.a of the Permit.

It should be noted that the City passed amendments to its industrial pretreatment and FOG control ordinances in April 2013. These amendments increase the City's authority to enforce the ordinances and increase the responsibility of the discharger to ensure compliance with the ordinances. The amendments include expansion of the City's local limits ordinances, the addition of a detailed FOG control ordinance which includes requirements for the installation and maintenance of grease traps and interceptors, and a strengthening of the overall language of the ordinances in regards to the City's ability to terminate service in case of a violation of the ordinances or waste discharge permits issued thereunder. At the time of the inspection the City was still evaluating its approach for the implementation of its new authorities.

APPENDIX A – Asset-specific Observations

Asset-specific Observations

Asset	Date and Time of Inspection	Photo Log Reference	Observations
Westside Regional WWTP	4/16/13 1:00 p.m.	1 - 9	The EPA Inspection Team conducted a brief inspection of the Westside Regional and Bethune Point WWTPs. The inspection revealed that numerous treatment processes and mechanical equipment had failed and were not being repaired in a timely manner. For details regarding the condition of the WWTPs and the failure of the City to properly operate and maintain the WWTPs refer to Section II.F (Wastewater Treatment Plants) and Section III Finding 1 of this report.
Bethune Point WWTP	4/17/13 3:00 p.m.	10 - 15	
Lift Station No. 34	4/17/13 7:30 a.m.	16	The lift station included three pumps installed in a dry well and a backup generator. The wet well could not be inspected due to confined space entry requirements. The pumping equipment appeared to be in good condition. The lift station was climate controlled and was also used to house spare parts for other lift stations. Flow from the lift is calculated based on the pump run times.
Lift Station No. 5	4/17/13 8:15 a.m.	17 - 19	The lift station included three pumps installed in a dry well and a backup generator. The wet well could not be inspected due to confined space entry requirements. The pumping equipment appeared to be in good condition. Flow from the lift station is calculated based on the pump run times. The lift station had exterior signage and alarm lights.
Lift Station No. 62	4/17/13 8:45 a.m.	20-23	The lift station included three pumps installed in a dry well and a backup generator. The lift station had a spare motor and pump. The No.1 pump shaft had been removed for servicing. The wet well could not be inspected due to confined space entry requirements. The pumping equipment appeared to be in good condition. Flow from the lift station is calculated based on the pump run times. The lift station also had two 750,000 gallon wastewater storage tanks on site that were not being used. These tanks could provide 1.5 million gallons of offline wastewater storage if needed. Station had exterior signage and alarm lights.

Compliance Evaluation Inspection
Daytona Beach, FL

Asset	Date and Time of Inspection	Photo Log Reference	Observations
Lift Station No. 10	4/17/13 9:15 a.m.	24-29	The lift station included three pumps installed in a dry well. The backup generator was an external unit. The lift station had a spare pump. The dry well had pooling of wastewater due to leaking pumps. The dry well also had significant debris covering the floor. Two separate sump pumps were positioned in the dry well. The dry well walls and support structures (i.e. I-beams, stairs, etc.) showed signs of flooding and heavy corrosion. The wet well entry door was not posted as a confined space. The wet well entry way, hand railing, and electrical wiring exhibited corrosion. The light switch had been disassembled, didn't appear operational, and had exposed wires. The lift station is scheduled for replacement. New designs are completed. Funding has not yet been identified. No timeline for the replacement has been scheduled. The station had exterior signage and alarm lights.
Lift Station No. 72	4/17/13 9:45 a.m.	30-31	The lift station is a Smith and Loveless "dog house" design. The lift station had two pumps. The wet well had minimal FOG accumulation. No backup power is provided, however, the electrical panel did have a quick connect 'pigtail plug' for portable generator hookup. The station had exterior signage and alarm lights.
Lift Station No. 63	4/17/13 10:05 a.m.	32 - 34	The lift station is one of the Smith and Loveless "dog house" designs. The lift station had two pumps. The wet well had FOG and considerable quantities of floating debris (i.e. squeeze condiment packages and plastic wrappers). No backup power was provided, however, the electrical panel did have a quick connect 'pigtail plug' for portable generator hookup. The lift station had exterior signage and alarm lights. The lift station is downstream of area prisons. The City recently modified the pump activation wet well level from 40 inches to 16 inches to improve operations. The wet well had debris covering upper assets in the wet well which is evidence that the wet well levels have experienced extreme fluctuations in the past. Vacuum truck cleaning of the wet well was requested by City staff due to the debris accumulation. The lift station is currently of being upgraded; completion of the upgrade is scheduled for June 2013. The upgrades will include three new 75 horse power pumps and a 16-inch force main (replacing an 8-inch force main).

Inspection Dates: April 16-17, 2013

Compliance Evaluation Inspection
Daytona Beach, FL

Asset	Date and Time of Inspection	Photo Log Reference	Observations
Lift Station No. 48	4/17/13 10:30 a.m.	35 - 36	The lift station is a prefabricated steel "can" type lift station. The lift station had two pumps. The wet well had FOG accumulation. No backup power was provided, however, the electrical panel did have a quick connect 'pigtail plug' for portable generator hookup. The lift station had exterior signage and alarm lights. The lift station services an area with a number of restaurants. Vacuum truck cleaning of the wet well was requested by City staff due to the FOG accumulation.
Lift Station No. 92	4/17/13 10:45 a.m.	37 - 38	The lift station is a Smith and Loveless "dog house" design. The lift station was secured within a locked fence. The lift station had two pumps. The wet well had minimal FOG accumulation. The lift station only had 1.1 hours of run time in the last five days. The lift station had exterior signage and alarm lights.
Lift Station No. 35	4/17/13 11:15 a.m.	39	The lift station was installed to service the wastewater flows from the City pier and associated restaurant (Joe's Crab Shack). The lift station was secured within a locked fence. The lift station had two pumps. The lift station pumps noted less than 1 hour of run time in the last two days. The lift station had exterior signage and alarm lights.
Lift Station No. 96	4/17/13 1:05 p.m.	Camera malfunction - no photos taken.	The lift station services one residential development. The lift station had two pumps. The wet well had FOG accumulation. A City representative stated that the FOG accumulation was approximately 4 to 6 inches thick on the wastewater surface. The lift station had exterior signage and alarm lights.
Lift Station No. 55	4/17/13 1:15 p.m.	Cameras malfunction - no photos taken.	The lift station services three upstream lift stations. The lift station had two pumps. The lift station had exterior signage and alarm lights. Immediately upstream of the lift station is a trailer park and a sanitary sewer line crossing a creek. The area surrounding the sewer line crossing appeared stable and showed no signs of leaks or erosion.
Lift Station No. 50	4/17/13 1:30 p.m.	Camera malfunction - no photos taken.	The lift station services eight upstream lift stations. The lift station had two pumps. The wet well had a heavy accumulation of FOG and debris. The lift station had exterior signage and alarm lights.

Inspection Dates: April 16-17, 2013

Compliance Evaluation Inspection
Daytona Beach, FL

Asset	Date and Time of Inspection	Photo Log Reference	Observations
Oak Street and Desoto Street Sewer Cleaning	4/17/13 9:30 a.m.	40	The City crew performed preventive maintenance cleaning of an 8-inch sewer pipe using a pressure of 1,000 psi. The City staff stated that this was typically the pressure used for vitrified clay pipe. The City crew stated that it typically performs two passes with the jetter to ensure that line is clean before moving on to the next segment. The City crew received a map from the Field Division supervisor indicating the sewer lines it was to clean on that day. After cleaning the line, the City crew fills out a hardcopy report denoting the linear footage of sewer line cleaned, and how many passes were made on each segment. The field crew does not typically record the type of debris removed from the collection system during cleaning; however, abnormalities or excessive debris are reported to the Field Division supervisor for recordkeeping. The EPA Inspection Team did not observe any accumulation of debris or grease in the manholes used for the cleaning process.
Manhole at Gardiner Court and Loomis Avenue	4/17/13 10:00 a.m.	41	The EPA Inspection Team viewed the condition of the collection system in a historic area of the City where sewer lines are shallow, resulting in an increased potential for the backup of wastewater into buildings. The EPA Inspection Team observed that the sewer lines were shallow and that there was minimal flow. There was no evidence of debris or grease accumulation in the manhole.
Manhole at 809 Niles Street	4/17/13 10:15 a.m.	42	The manhole was located in an area the City refers to as "The Bowl" because it is bounded on 4 sides by roadways which are above the elevation of The Bowl. Because of this, the area experiences flooding during heavy rainfall events. The manhole showed no signs of frequent surcharging, and there was no accumulation of debris or grease visible.
Manhole at South Street and Russell Drive	4/17/13 10:50 a.m.	43	This manhole was also located in The Bowl. The manhole showed no signs of frequent surcharging, and there was no accumulation of debris or grease visible.
Manhole at Kemp Street and Coates Street	4/17/13 11:10 a.m.	44	The manhole was located adjacent to beach on the east side of the City. The manhole showed no signs of frequent surcharging. There was a minor accumulation of grit in the manhole.

Inspection Dates: April 16-17, 2013

APPENDIX B – Stoppage Response Work Order Form

WORK ORDER	
WATER & SEWER DEPARTMENT	
Address	423 CAMERON
Name	
Order Received From	BASE
Type of Work	S/S
Date & Hour Ordered	2/27/13
Order Given To	977/976
Time & Hour	
Date Completed	
By Whom	N.B. BELL RAY
Materials Used	AUGER - CLEARED
C/O ER	
Code	
All Orders when completed to be returned to office.	

APPENDIX C – SSO Reporting Form

City of Daytona Beach

Sanitary Sewer Overflow / Main Stoppage Form

Zone: _____ Date of Stoppage: ____ / ____ / ____ Truck #: _____
Address: _____ Phone: _____ Time Responded: _____
Time Complaint Received (Pager): _____ AM.-PM Time Finished: _____
Who Called: _____ Base _____ Coordinator _____ Other: _____

Utilities Response

Your Name: _____ Vehicle(s) # Responded To Incident: _____
Sewage Overflow (Spill) YES _____ NO _____ How Many Gallons Spilled? (Est.) _____
Where was the Spill? _____ (Grass, Street, Sidewalk, Around Clean Out, In Catch Basin?)
Suspected Reason? _____ (Grease, Paper, Rags, Roots, Bad Joint) (Depression over line)

What Was Done

Lift Station Area: _____ MH# _____ Pipe Type: _____ Size: _____
Main Up: _____ Ran Main Footage: _____ Clogged Lateral: _____
Ran Lateral Footage: _____ Flushed Lateral: _____ Lift Station Wash-Down: _____
HTH Wash-Down: _____ HTH Used: _____ Deodorizer Used: _____
Regional Plant Collection System: _____ Bethune Point Collection System: _____

General Description of Incident: _____

Reviewed by Supervisor: _____ Date: ____ / ____ / ____

To Be Added To Week Ending: _____ Initial: _____



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JUL 23 2013

CERTIFIED MAIL 7012 1010 0001 8097 0931
RETURN RECEIPT REQUESTED

Mr. Shannon Mills
Chief Operator
Catlettsburg Wastewater Treatment Plant
3710 Park Street
Catlettsburg, Kentucky 41129

Re: Notice of Violation No. 309-2013-09
Information Request pursuant to 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit No. KY0035467
Compliance Evaluation Inspection Report

Dear Mr. Mills:

Included as an enclosure to this letter is the Compliance Evaluation Inspection report written for the Catlettsburg Wastewater Treatment Plant (Utility) inspection that was conducted by the U.S. Environmental Protection Agency Region 4's Science and Ecosystem Support Division on April 23, 2013. The report outlines several deficiencies that the Utility must address to ensure full compliance with its National Pollutant Discharge Elimination System (NPDES) Permit No. KY0035467.

Pursuant to Section 309(a)(1) of the Clean Water Act (CWA), 33 U.S.C. §1319(a)(1), the EPA also hereby notifies the Utility that on numerous occasions it has violated its Permit as indicated by the effluent limit exceedances listed below:

<u>Parameter</u>	<u>Violation</u>	<u>Measurement</u>	<u>Limit</u>	<u>Outfall</u>	<u>Reporting Period</u>
Dissolved Cadmium	Incomplete Report		Annual	001	12/31/2011
Dissolved Copper	Incomplete Report		Annual	001	12/31/2011
Total Recoverable Cu	Incomplete Report		Annual	001	12/31/2011
Total Hardness	Incomplete Report		Annual	001	12/31/2011
Dissolved Lead	Incomplete Report		Annual	001	12/31/2011
Total Recoverable Pb	Incomplete Report		Annual	001	12/31/2011
Total Recoverable Zn	Incomplete Report		Annual	001	12/31/2011
Dissolved Zinc	Incomplete Report		Annual	001	12/31/2011
Fecal Coliform	Monthly Average	600 col/100 ml	400 col/100 ml	001	12/31/2009
Fecal Coliform	Monthly Average	600 col/100 ml	400 col/100 ml	001	04/30/2010
Fecal Coliform	Monthly Average	600 col/100 ml	400 col/100 ml	001	02/28/2011
Fecal Coliform	Monthly Average	600 col/100 ml	400 col/100 ml	001	03/31/2011

<u>Parameter</u>	<u>Violation</u>	<u>Measurement</u>	<u>Limit</u>	<u>Outfall</u>	<u>Reporting Period</u>
Fecal Coliform	Monthly Average	600 col/100 ml	400 col/100 ml	001	04/30/2011
Fecal Coliform	Monthly Average	600 col/100 ml	400 col/100 ml	001	08/31/2011
Fecal Coliform	Monthly Average	600 col/100 ml	400 col/100 ml	001	09/30/2011
Fecal Coliform	Monthly Average	600 col/100 ml	400 col/100 ml	001	10/31/2011
Fecal Coliform	Monthly Average	600 col/100 ml	400 col/100 ml	001	11/30/2011
Fecal Coliform	Monthly Average	600 col/100 ml	400 col/100 ml	001	01/31/2012
Fecal Coliform	Monthly Average	600 col/100 ml	400 col/100 ml	001	03/31/2012
Fecal Coliform	Monthly Average	600 col/100 ml	400 col/100 ml	001	04/30/2012
Fecal Coliform	Monthly Average	600 col/100 ml	400 col/100 ml	001	05/31/2012
Fecal Coliform	Monthly Average	600 col/100 ml	400 col/100 ml	001	06/30/2012
E. Coli	7 Day Geomean	921 col/100 ml	240 col/100 ml	001	07/31/2012
E. Coli	7 Day Geomean	265 col/100 ml	240 col/100 ml	001	10/31/2012
E. Coli	7 Day Geomean	2420 col/100 ml	240 col/100 ml	001	11/30/2012
E. Coli	7 Day Geomean	2420 col/100 ml	240 col/100 ml	001	07/31/2010
E. Coli	7 Day Geomean	921 col/100 ml	240 col/100 ml	001	01/31/2013
E. Coli	7 Day Geomean	2420 col/100 ml	240 col/100 ml	001	04/30/2013
E. Coli	7 Day Geomean	2420 col/100 ml	240 col/100 ml	001	01/31/2012
pH	Daily Maximum	10.9	9.0	001	03/31/2012
pH	Daily Maximum	10.11	9.0	001	
Total Suspended Solids % Removal	Monthly Minimum	81%	≥ 85%	001	07/31/2010
Total Suspended Solids % Removal	Monthly Minimum	80%	≥ 85%	001	12/31/2012
Total Suspended Solids % Removal	Monthly Minimum	84%	≥ 85%	001	03/31/2011
Total Suspended Solids % Removal	Monthly Minimum	72%	≥ 85%	001	04/30/2011
Total Suspended Solids % Removal	Monthly Minimum	73%	≥ 85%	001	12/31/2012
Total Suspended Solids % Removal	Monthly Minimum	79%	≥ 85%	001	01/31/2013
Total Suspended Solids	Weekly Average	48 mg/L	45 mg/L	001	12/31/2010
Total Suspended Solids	Monthly Average	191.28 lbs/day	125 lbs/day	001	04/30/2011
Total Suspended Solids	Monthly Average	137.86 lbs/day	125 lbs/day	001	05/31/2011
Total Suspended Solids	Monthly Average	239.46 lbs/day	125 lbs/day	001	07/31/2010
Total Suspended Solids	Monthly Average	391.51 lbs/day	125 lbs/day	001	12/31/2010
Total Suspended Solids	Daily Maximum	207.02 lbs/day	187 lbs/day	001	11/30/2011
Total Suspended Solids	Daily Maximum	265.26 lbs/day	187 lbs/day	001	12/31/2011
Total Suspended Solids	Daily Maximum	497.25 lbs/day	188 lbs/day	001	10/31/2012
Total Suspended Solids	Daily Maximum	403 lbs/day	188 lbs/day	001	01/31/2013
Total Suspended Solids	Daily Maximum	201.66 lbs/day	188 lbs/day	001	03/31/2013

The EPA requests pursuant to Section 308 of the CWA 33 U.S.C. §1318, that the Utility provide a written explanation of the reasons for each of the deficiencies in the inspection report as well as each of the effluent limit exceedances listed. Please provide a summary of actions taken or planned by the Utility to correct the problems to prevent future violations. In instances where the actions are planned, please include a schedule which identifies specific dates for completing the actions.

The Utility's response should specifically reference the particular element of the inspection report, the effluent limit exceedances or the Enclosure and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible official:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

The Utility shall preserve, until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the Clean Water Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim are found in **Enclosure A**.

The Utility must submit the requested information within 30 days of receipt of this correspondence. The submittal must be addressed to:

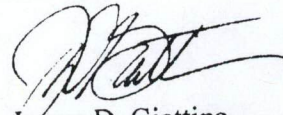
Ms. Alenda Johnson
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The Commonwealth of Kentucky is being concurrently notified of these findings. The EPA is coordinating with the Commonwealth to ensure that timely and appropriate enforcement action is taken and compliance with the conditions of the NPDES Permit is achieved.

If these violations are not resolved in a timely or appropriate manner and/or if the Utility fails to respond to the Information Request, the EPA may take enforcement action which may include issuance of an administrative order, assessment of administrative penalties or initiation of a civil judicial action pursuant to Section 309 of the CWA 33 U.S.C. §1319.

If you have questions regarding this notice and information request, please contact Ms. Alenda Johnson at (404) 562-9761 or at johnson.alenda@epa.gov.

Sincerely,



James D. Giattina
Director

Water Protection Division

Enclosure

cc: Mr. Tom Gabbard
Kentucky Department of Environmental Protection

United States Environmental Protection Agency
Region 4

Science and Ecosystem Support Division
980 College Station Road
Athens, Georgia 30605-2720



Compliance Evaluation Inspection Report

City of Catlettsburg Wastewater Treatment Plant
3710 Park Street,
Catlettsburg, Kentucky
Inspection Date: April 23, 2013

NPDES Permit No. KY0035467
SESD Project ID No. 13-0342

Requestor: Maurice Horsey, Chief
Municipal and Industrial Enforcement Section
Clean Water Enforcement Branch
Water Protection Division
USEPA Region 4, 61 Forsyth St. SW
Atlanta, Georgia 30303-8960

SESD Project Leader: Bill Simpson
Environmental Scientist, Enforcement Section
Enforcement and Investigations Branch
980 College Station Road
Athens, Georgia 30605-2720

Title and Approval Sheet

Title: Compliance Evaluation Inspection Report
City of Catlettsburg Wastewater Treatment Plant

Approving Official:

Mike Bowden, Chief
Enforcement Section
Enforcement and Investigations Branch

Date

SESD Project Leader:

Bill Simpson, Environmental Scientist
Enforcement Section
Enforcement and Investigations Branch

Date

**Compliance Evaluation Inspection Report
City of Catlettsburg Wastewater Treatment Plant
Catlettsburg, Kentucky
NPDES Permit No. KY 0035467**

INTRODUCTION

On April 23, 2013, representatives of the U.S. Environmental Protection Agency, Science and Ecosystem Support Division (USEPA – SEDS), conducted a Compliance Evaluation Inspection (CEI) at the City of Catlettsburg Wastewater Treatment Plant (WWTP) in the City of Catlettsburg, Kentucky. The facility's self-monitoring program was evaluated in the areas of records and reports, operations and maintenance, flow measurement and sampling to determine if the facility is meeting the requirements specified in the National Pollutant Discharge Elimination System (NPDES) permit.

The following personnel participated in the inspection:

<u>Name</u>	<u>Organization</u>	<u>Telephone</u>
Bill Simpson	USEPA–SESD, Inspector	(706) 355-8748
Danielle Rogers	Kentucky Department for Environmental Protection	(606) 783-8655
Shannon Mills	Chief Operator, Catlettsburg WWTP	(606) 615-1199
Mike Clevenger	Operator, Catlettsburg WWTP	(606) 739-5145

SUMMARY / DATA INTEGRITY

The City of Catlettsburg Wastewater Treatment Plant has a design flow capacity of 0.5 MGD and a daily average flow of 0.4 MGD. The City has significant infiltration and inflow (I/I) problems associated with an aging infrastructure and a combined sewer overflow collection system that is currently being addressed with a phased approach as outlined in the The Long Term Control Plan dated October 2011 by E.L. Robinson Engineering, 315 Greenup Avenue, Ashland, KY 41101. EPA received a copy on May 13, 2013 of the Nine Minimum Controls, and Long Term Control Plan as completed as part of Catlettsburg agreed order with the Kentucky Division of Water. The plant was originally constructed in 1963 - 1964 and currently consists of a grinder (currently inoperable), a grit channel, flow splitter box, two package treatment plants consisting of an aeration basin containing a mixing zone for influent and return sludge, a reaeration zone for the biological process, a clarifier for settling solids, a chlorine contact chamber for disinfection and dechlorination. Each package plant also has anaerobic digesters, for sludge stabilization and thickening prior to dewatering on a set of drying beds. At the time of this inspection, the grinder was removed from the treatment process for repairs. This report concerns only those deficiencies noted at the time of the inspection. Five deficiencies were noted. Four deficiencies were noted in the area of operations and maintenance. One deficiency was noted in the area of sampling. The deficiencies were discussed with Mr. Mills during the closing conference. Several of the deficiencies appear to adversely affect the plant performance.

FIELD EVALUATION

The following discussion corresponds to the areas evaluated in Section "C" of the NPDES Water Compliance Inspection Report Form (EPA Form 3560-3). Deficiencies identified during the inspection are followed by their respective Regulatory Requirement. Recommendations are included which are intended to strengthen the quality and reliability of the permittee's self-monitoring program.

1. Facility Site Review

Primary treatment consists of a grinder, a grit channel and flow splitter box followed by two package plants consisting of an aeration basin containing a mixing zone for influent and return sludge, a reaeration zone for the biological process, a clarifier for settling solids, an aerobic digester, a chlorine contact chamber for disinfection, and dechlorination. Treated wastewater is discharged into Big Sandy River via Outfall 001. Sludge is pumped out of the aerobic digesters onto a set of drying beds.

The plant staff is also responsible for 13 pump stations in the City of Catlettsburg.

Pump Station #004 experiences known I/I problems from stormwater flooding in the Catlett's Creek area. This Pump Station #004 is identified in the Long Term Control Plan as a problem area. See attachment one for photographs of the plant and pump stations.

2. Permit

The facility is authorized to discharge under NPDES permit number KY0035467. The NPDES permit issued by Kentucky DEP became effective on January 1, 2010 and expires on December 31, 2014. The inspection observations verified the permit information regarding the name and description of the facility, the location of the permitted outfall, and the name and location of the receiving waters.

3. Records and Reports

The facility's records consisted of discharge monitoring reports (DMRs), daily logs, calibration records, laboratory bench sheets, laboratory reports, and chain of custody records. Records and reports for October 2012 and January 2013 were checked and found to be consistent with NPDES self-monitoring requirements regarding sampling documentation, equipment calibrations, and reporting of parameter concentrations and loadings. Records were maintained for a minimum of three years as required in the NPDES permit. The facility records/logbooks were clear, concise and well organized. Two Recommendations were noted in the area of records and reports.

Recommendations:

- The facility logbooks/calibration sheets should be recorded in ink rather than pencil.
- The State of Kentucky is implementing the electronic filing of DMR reports. The City of Catlettsburg should consider additional computer training for the facility staff. This training will help in the transition to electronic recordkeeping.

4. Flow Measurement

An EPA instantaneous calibration check of the north and south effluent flow meters indicated that the facility was recording approximately 19 percent higher than actual flow. The regulatory requirement is that the flow instrumentation must be calibrated to within the USEPA accepted accuracy range of +/- 10 percent of actual flow (*NPDES Compliance Inspection Manual, 2004*). There was error associated with the EPA instantaneous flow check taken on April 23, 2013. It was difficult to view the staff gauge while the measurement was taken. Mr. Mills immediately contacted his calibration service to verify the flow of both the north and south effluent meters. Both flow meters were calibrated the next day and the calibration checks indicated both the north and south meters were below 1 percent error. Therefore no deficiency noted in this area.

5. Operations and Maintenance

Operation and maintenance is performed by Mr. Mills and Mr. Clevenger. The plant is staffed eight hours per day, five days a week. However, with only two employees covering both wastewater operations/maintenance and the 13 pump station duties, the facility may not be adequately staffed.

At the time of the inspection, four deficiencies were noted in the area of operations and maintenance. First, the grinder needs to be repaired and placed back in service. Secondly, during wet weather events, stormwater backs up in the Catletts Creek area causing Pump Station #004, and the manholes in the area, to contribute known I/I problems in the collection system. These issues associated with the Pump Station #004 need to be addressed in a timely manner as outlined in the Long Term Control Plan. Third, additional staffing may be necessary. Fourth, the chlorine contact chamber would benefit from the installation of baffles to slow the flow and increase contact time.

Deficiencies:

- The grinder needs to be repaired immediately.
- The I/I problems associated with Pump Station #004 need to be addressed in a timely manner as outlined in the Long Term Control Plan.
- Additional staffing may be necessary to adequately address collection system and treatment plant concerns.
- The chlorine contact chamber would benefit from the installation of baffles to allow adequate flow and contact time through the chamber and improve disinfection.

Regulatory Requirement: 40 CFR Section 122.41(e) Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit.

6. **Sludge Handling and Disposal**

Sludge is conditioned in two aerobic digesters and dewatered on a set of drying beds. The sludge is disposed at the local landfill. The City should consider other means of dewatering the sludge.

7. **Self-Monitoring Program / Sampling**

Sampling locations appeared appropriate, and generally samples were collected in accordance with the frequencies and sample types specified in the NPDES permit.

Influent 24-hour time composite samples were collected using an automated sampler. The samplers were programmed to collect approximately 120 mls every 15 minutes for a total of 96 aliquots. The influent composite samples were collected for the analyses of BOD₅ and TSS.

Effluent 24-hour time composite samples were collected using an automatic sampler. The samplers were programmed to collect approximately 120 mls every 15 minutes for a total of 96 aliquots. The effluent composite samples were collected for the analyses of BOD₅, TSS, and ammonia nitrogen.

Effluent grab samples were collected for pH, dissolved oxygen, total residual chlorine, and E.coli bacteria.

At the time of this inspection, one deficiency was noted in the area of sampling. The *Escherichia coli* (*E.coli*) samples were not collected directly into a sterilized container.

Deficiencies:

- Bacteriological samples must be collected directly into a sterilized container.

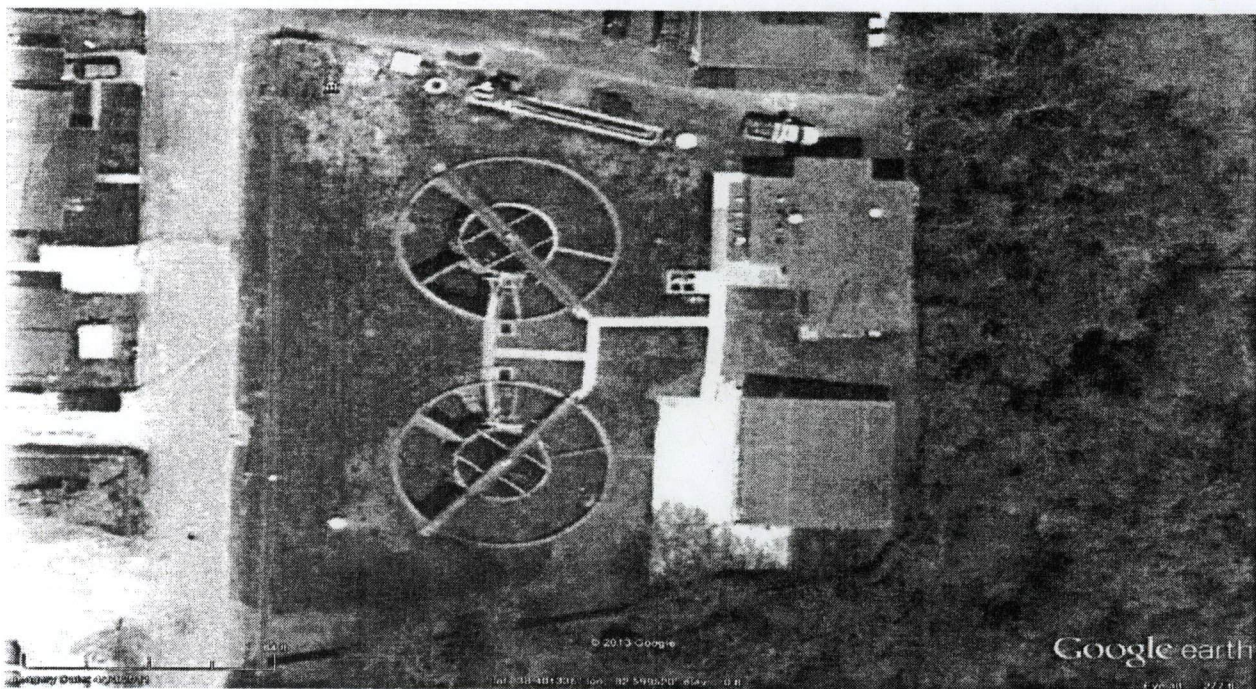
Regulatory Requirement: Bacteriological samples must be collected directly into a sterilized container **40 CFR, Part 136, Table I H. References:** USEPA, 1978 *Microbiological Methods for Monitoring the Environment, Water and Wastes*, pages 5 and 6. In addition see, *Standard Methods for the Examination of Water and Wastewater, 20 Edition*, Part 9060 A and B.

8. **Effluent/Receiving Water**

The final effluent was observed through a manhole. Floating solids, visible foam or sheen were not observed.

Attachment One

Photographs of Catlettsburg WWTP during April 23, 2013 C.E.I.



Google Earth Image
City of Catlettsburg WWTP
Aerial view

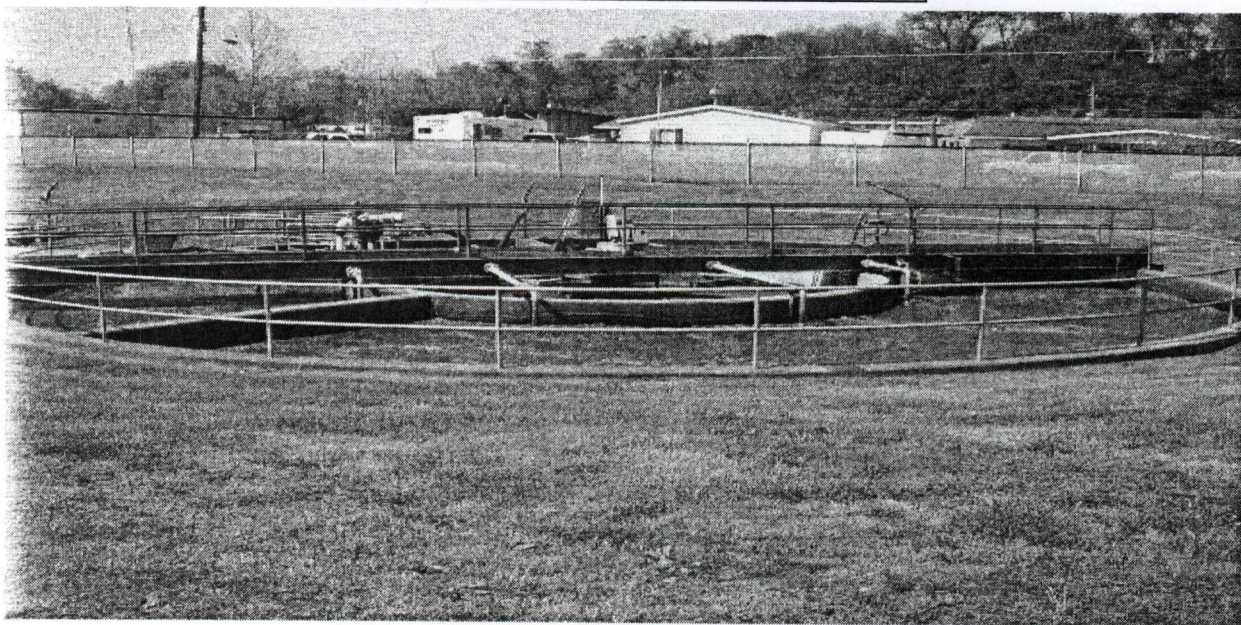


Photo 929 taken by B. Simpson – 4/23/13
Package Plant- facing west

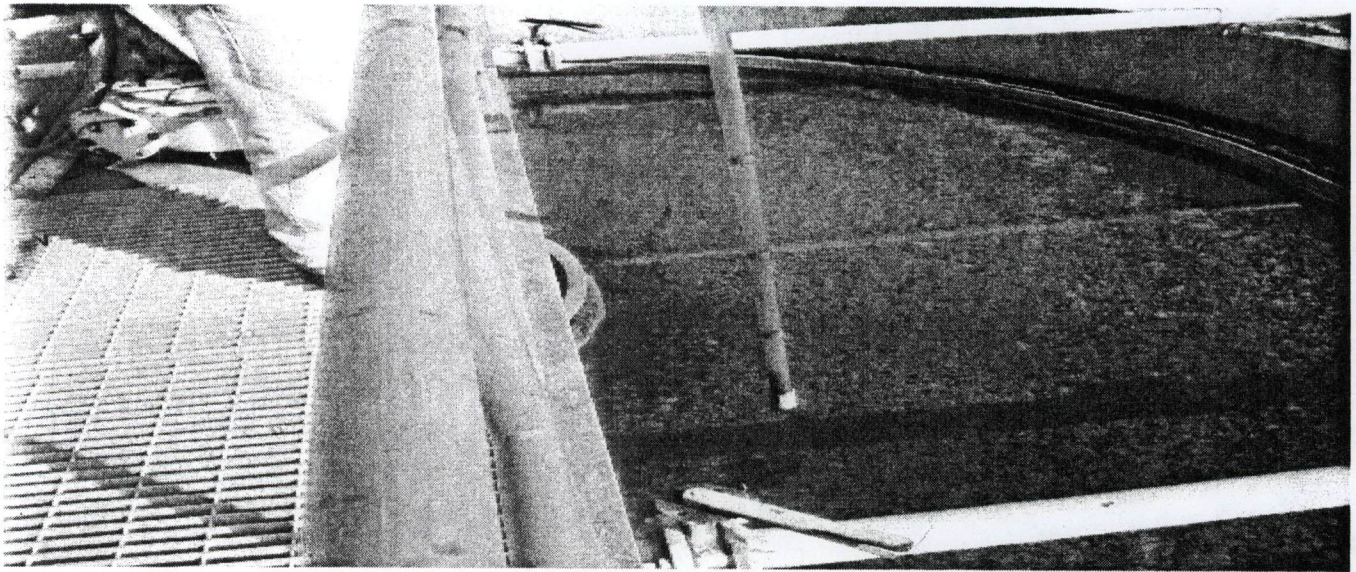


Photo 920 taken by B. Simpson – 4/23/13
Measuring sludge depth in the north clarifier- facing east

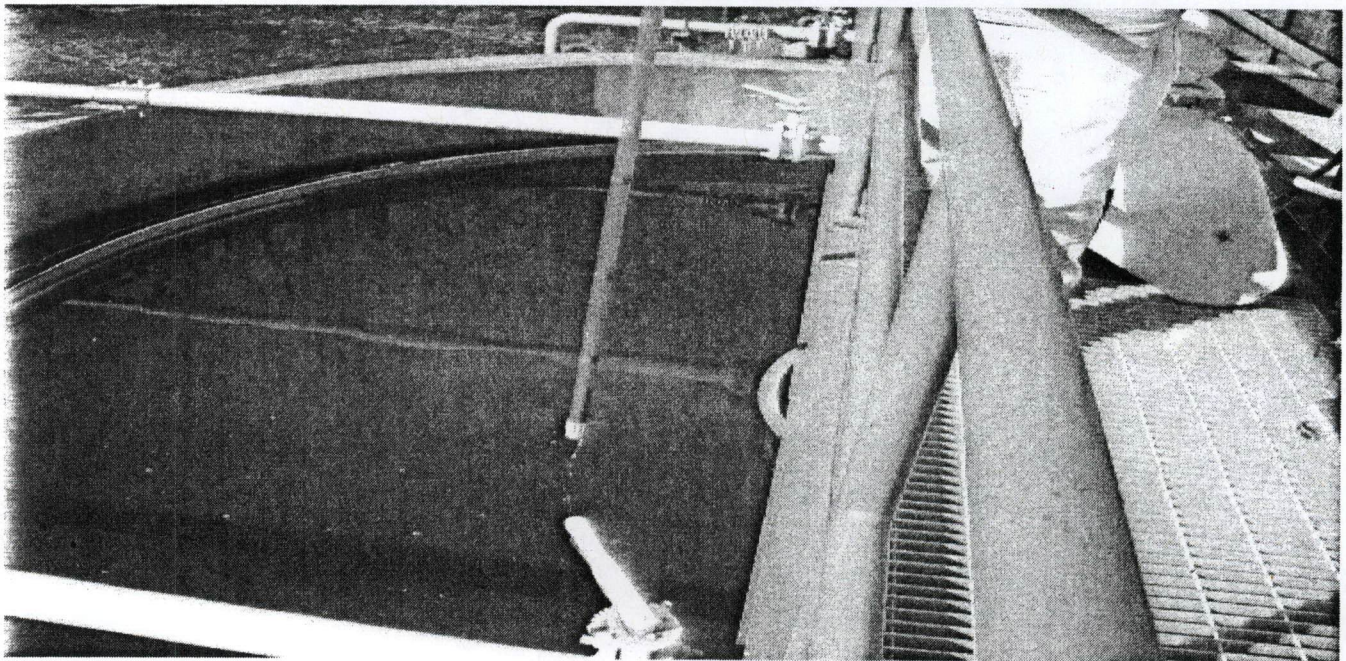


Photo 921 taken by B. Simpson – 4/23/13
Measuring sludge depth in the south clarifier- facing west

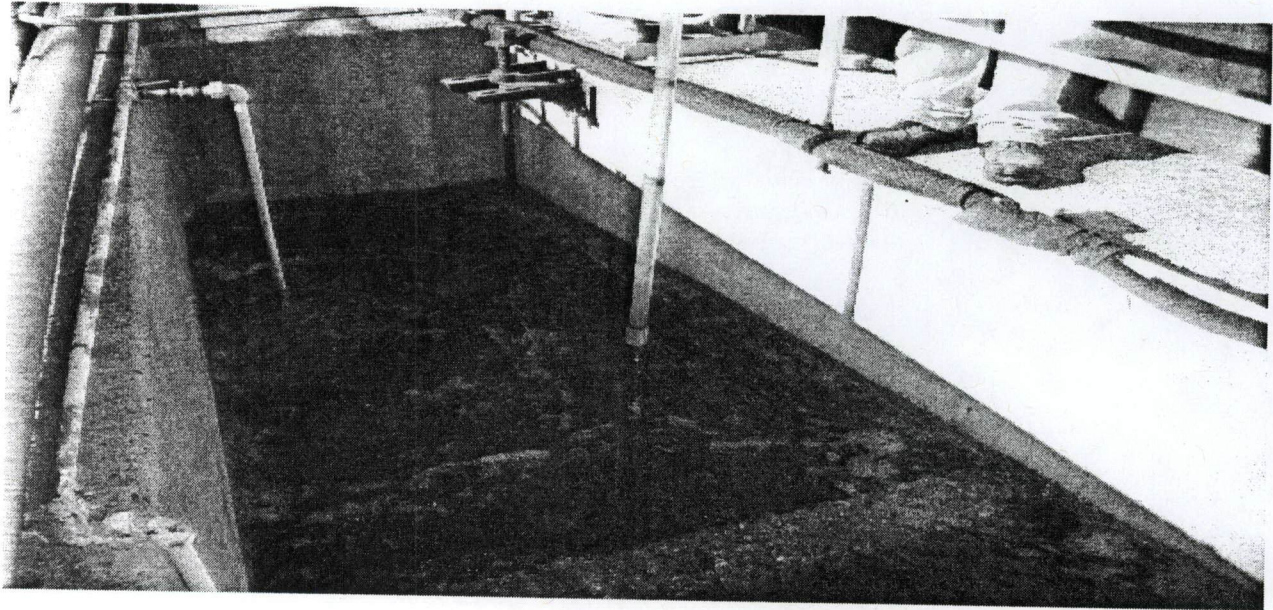


Photo 922 taken by B. Simpson – 4/23/13
Measuring sludge depth in the chlorine contact chamber-
facing west- baffles needed.

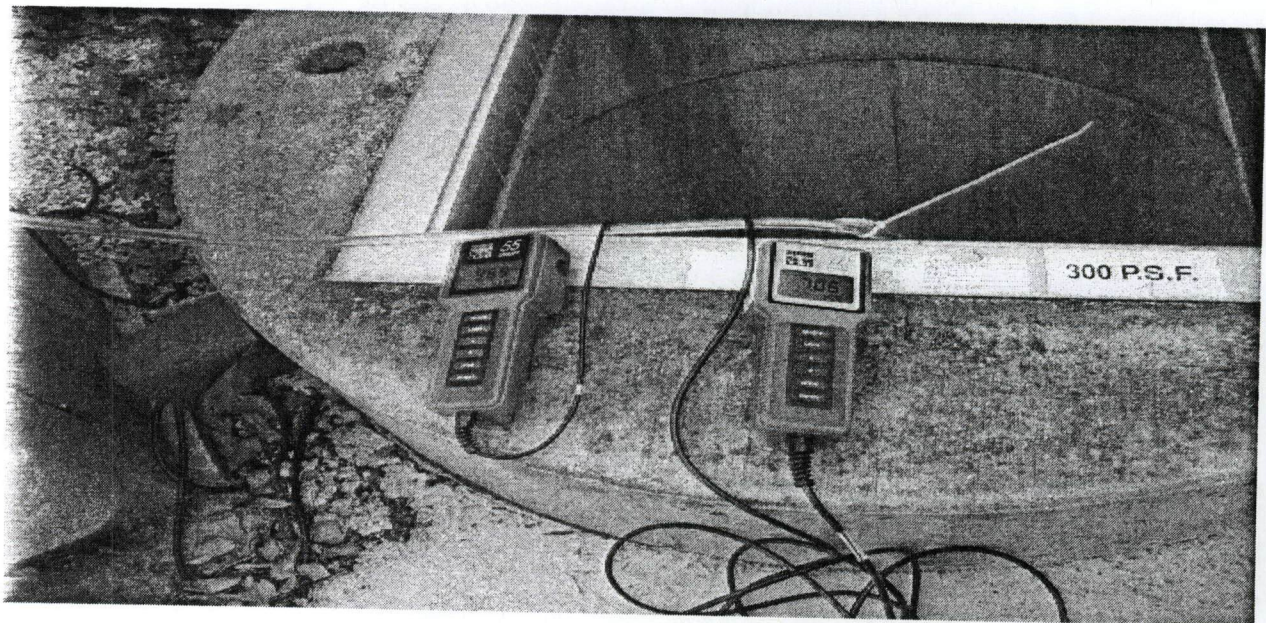
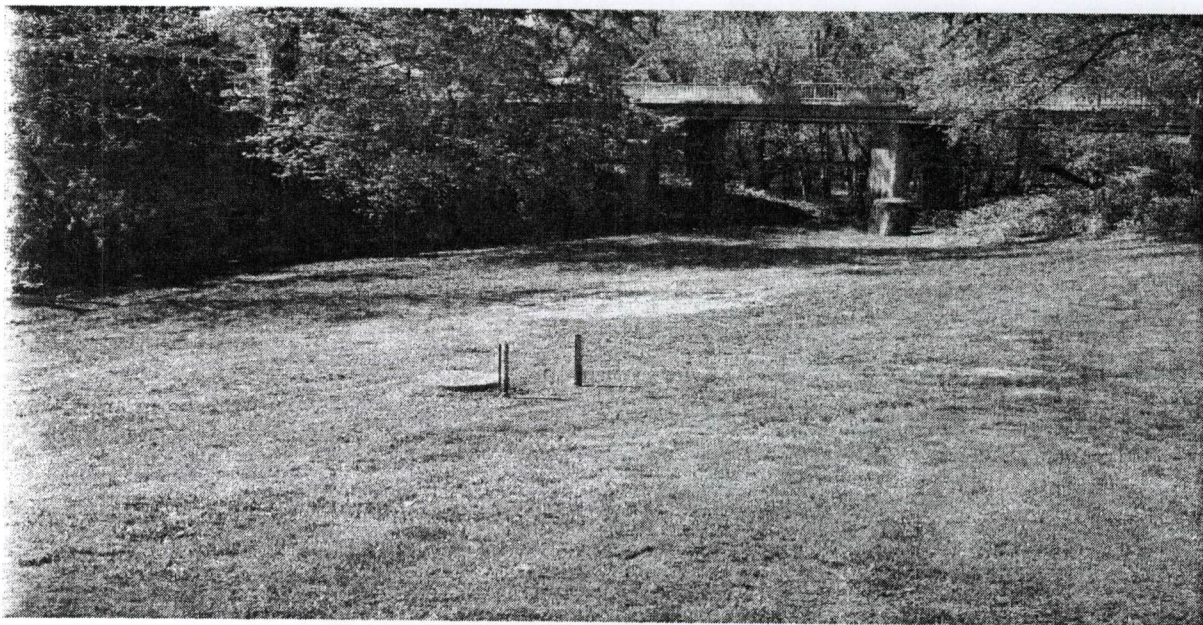
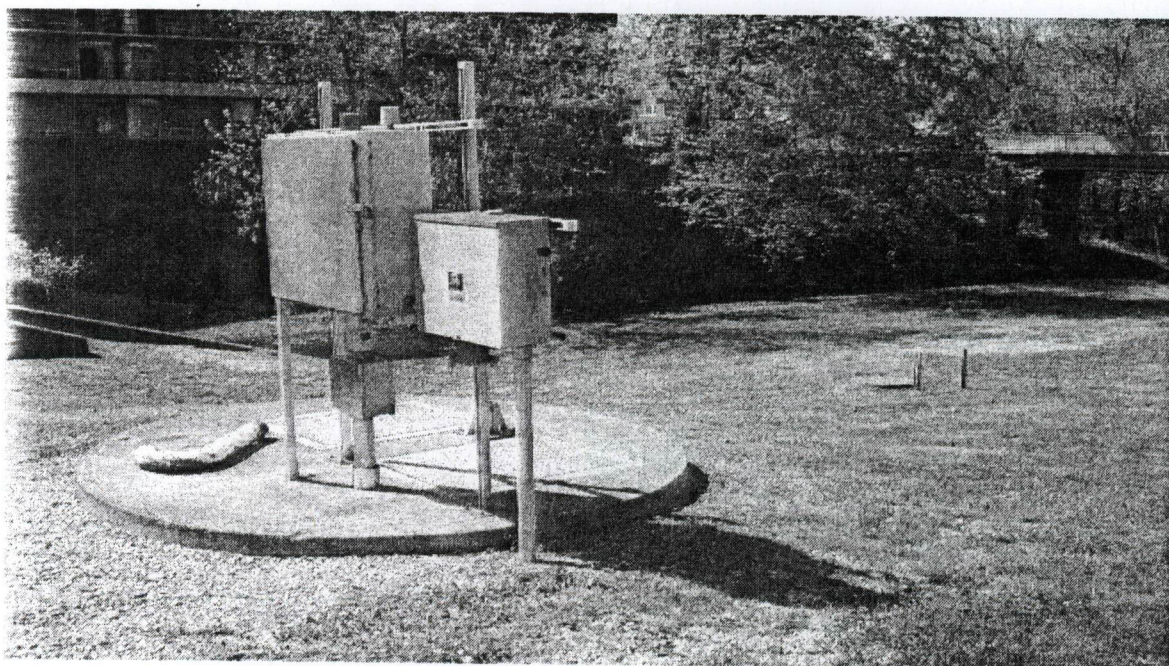


Photo 923 taken by B. Simpson – 4/23/13
Measuring DO and pH at effluent manhole- facing east



**Photo 926 taken by B. Simpson – 4/23/13
Pump Station #004 - facing east**



**Photo 928 taken by B. Simpson – 4/23/13
Pump Station #004 - facing east**

END OF REPORT